

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2

DATE: JUL 14 2014

SUBJECT: PCB Inspection: Former Alcoa Building 12/38 COAH Associates, LLC  
660 River Road  
Edgewater, NJ 07020

FROM: Vivian Chin, Environmental Engineer  
Toxics Section

Ann Finnegan, Life Scientist  
Toxics Section

TO: Susan Schulz, Chief  
Toxics Section

On June 16, 2014 a for-cause inspection was carried out at the above facility. No advance notice of the inspection was provided to the facility. We held an opening conference with Mr. Matthew Vereb, Director of Operations for Daibes Enterprises which he explained is the parent company for 38 COAH Associates, LLC. We presented our credentials and issued Notices of Inspection and Confidentiality (Attachment 1). Mr. Vereb signed both notices. During the course of the inspection we were also joined by Mr. Rodger Ferguson of Pennjersey Environmental Consulting, and Mr. Rae Jo of Hudson Spa Club, LLC.

### Background

The site is currently a vacant lot slated for development as a spa under a lease agreement with Hudson Spa Club, LLC. The property is currently owned by 38 COAH Associates, LLC (38 COAH) and is the former location of Building 12 of the Aluminum Company of America (Alcoa) facility. Alcoa operated the former site until the late 1960's when operations were shut down and the site subsequently remained vacant. A portion of the former Alcoa property was demolished and redeveloped into condominiums in the late 1990/early 2000 timeframe. Building 12 was not demolished until the summer of 2013. The Building 12 site had been deed restricted (Attachment 2) due to polychlorinated biphenyl (PCB) contamination in the walls of the building, however the deed restriction was terminated in 2011 as NJDEP regulations did not address building interiors (Attachment 3).

Waterside Construction, LLC, (Waterside), another company under common ownership with 38 COAH and Daibes Enterprises, was the demolition contractor for the former Building 12. Waterside was also contracted by the Borough of Edgewater for construction services at the nearby borough park Veterans Field (Attachment 4). During September/October 2013 Waterside moved crushed concrete from the demolition of Building 12 and used the material as fill at Veterans Field. This event was reported by letter dated October 3, 2013 by the then Licensed Site Remediation Professional (LSRP) for the Veterans Field Site (Attachment 5) and acknowledged by subsequent letter dated October 9, 2013 from Waterside (Attachment 6).

By letter dated April 15, 2014 (Attachment 7), Pennjersey Environmental Consulting (PEC), as the LSRP representing 38 COAH, informed EPA of two underground storage tanks (USTs) discovered under the floor slab during demolition of Building 12. PCBs were identified in the contents of both USTs as well as the surrounding soil. By letter dated May 30, 2014 (Attachment 8), a PCB self-implementing disposal plan (SIP) was submitted for the 38 COAH/former Alcoa Building 12 site.

### **Inspection Details**

Upon arrival at the site there were a few construction workers and a representative of Hudson Spa Club, LLC (HSC) on site. They were able to contact Mr. Vereb who met us at the site. Mr. Vereb explained that demolition of Building 12 occurred in July/August of 2013. 38 COAH owns the property and has leased the site to the HSC for redevelopment. As Mr. Vereb described, HSC leased the property with the building still present and HSC paid for the demolition which was performed by Waterside. Waterside remains the construction manager for the Spa construction. We were later joined by Mr. Rae Jo representing HSC who informed inspectors that the lease agreement was for a cleared site and HSC did not pay for demolition activities, contrary to what had been stated by Mr. Vereb.

The former Building 12 occupied the entire extent of the now vacant lot. The lot is fenced and is bordered in the front by River Road, on the right by Vreeland Terrace, on the left by a cemetery and in the back by residential housing units. Mr. Vereb explained that while excavating for footings the USTs were discovered in the back corner of the lot. At that point 38 COAH hired an LSRP.

Soil from the excavation of the USTs has been stockpiled at two locations on site. The stockpiling began in November to December of 2013. One pile is located along River Road where the property abuts the cemetery. It is covered by a plastic tarp held in place by bricks. The covering is not continuous but appears to be multiple sheets with gaps in between sheets where the debris is exposed to the elements (Photographs 2 and 3 – Attachment 9). Mr. Ferguson reports that a poly layer is located below the piles and the edge of black material was visible at the base of the excavation (Photograph 1 – Attachment 9). The base was also not completely covered and exposed to the elements. The second stockpile is located along a remaining foundation wall on the Vreeland Terrace side of the lot (Photographs 4 and 5 – Attachment 9). The pile is also covered by plastic sheeting and reportedly underlain by a poly sheeting.

Mr. Ferguson explained that the May 30, 2014 SIP addressed disposal of the two soil stockpiles. The stockpiles were sampled after excavation and not while the soil was in-situ. They would like to dispose of the stockpiles, reportedly with PCB levels between 100-200 parts per million (ppm), at a Resource Conservation and Recovery Act (RCRA) landfill. Mr. Ferguson said there was a \$50 per ton difference between a RCRA landfill and a Toxic Substances Control Act (TSCA) landfill.

The area where the USTs were located has been backfilled and an interim barrier was created as remaining PCB contamination in that area exceeds 500 ppm (Photograph 6 – Attachment 9). They plan to leave that contamination in place and request a risk-based disposal approval from EPA. The USTs were reportedly cut up and sent as scrap material to a salvage yard in Newark,



New Jersey. Inspectors inquired about decontamination of the tank and Ferguson's response was it was performed by EWMi and documentation and photos could be provided.

Reportedly footings for the new spa were being worked on at the time of the inspection (Photograph 7 –Attachment 10). Inspectors inquired about the Stop Work Order (Attachment 10) and were informed by Mr. Ferguson that the health and safety plan was taken care of and work is free to continue. Inspectors inquired how construction could continue with site remediation still pending. Mr. Ferguson responded with a plan to continue vertical construction while leaving the base of the site open. Sitewide sampling in a grid pattern will apparently occur the following week in preparation for the risk-based PCB disposal application. Mr. Jo inquired about continuing ongoing work. Inspectors discussed the PCB remediation regulations which require management based on as-found concentrations and this would not be the case if material is being moved around during continuing construction activities prior to a having an approved remediation plan.

Inspectors inquired about the material from the demolition of Building 12. Mr. Vereb informed us that the building walls and slab were crushed on site and then taken to Veterans Field where the material was placed under paved areas. This occurred over three or four weeks around October/November of 2013. The slab extended over the location of the USTs. The material taken to Veterans Field was described as crushed building material, any soil mixed in would have been solely incidental. No sampling was conducted on the building material prior to being taken to Veterans Field. The material was transported by Waterside dump trucks, however there was apparently no quantification of the amount of material in total. The three Waterside trucks have an 18 cubic yard capacity but there was no record of the number of trips that occurred over the three to four weeks the material was transported. Mr. Vereb said the quantity would have been determined for cost purposes at the end of the Veterans Field project by measuring field dimensions. Mr. Vereb said that the Building 12 demolition material was only taken to Veterans Field, it was not used at any other sites.

## **Conclusion**

At the close of the inspection we reviewed the material to be provided and issued a Receipt for Samples and Documents and Declaration of CBI (Attachment 11) signed by Mr. Vereb.

## **Follow Up**

By letter dated June 27, 2014 (Attachment 12), PEC provided a compact disk containing documents related to historical remediation of Building 12 (and the remainder of the Alcoa property) conducted under NJDEP oversight, removal and scrapping of the USTs, stockpiling of soil on site, and documents related to the Stop Work Order.

## **Attachments**

1. Notices of Inspection and TSCA Inspection Confidentiality
2. Building 12 Deed Restriction
3. April 1, 2011 RAO/Termination of Deed Notice
4. Edgewater Resolution awarding Veterans Field Contract to Waterside Construction
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**CONCURRENCES**

Name: CHIN		Date: 7/14/2014		Filename: F:\PCB\INSPECT\38COAH-ALCOABLDG12-0614.DOCX			
Symbol	DECA-PTS	DECA-PTS					
Surname	CHIN	FINNEGAN					
Initial	VC	AF					
Date	7/14/14	7-14-14					



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US ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

TOXIC SUBSTANCES CONTROL ACT

TOXICS SECTION -- NOTICE OF INSPECTION

1. INVESTIGATION IDENTIFICATION			2. TIME	3. FACILITY NAME
DATE 6/16/14	INSPECTOR NO. F16340	DAILY SEQ. NO. 1	1:30 pm	Former Alcoa Building 12/ 38 COAH Associates, LLC
4. INSPECTOR'S ADDRESS US-EPA Region 2 MS-105 2890 Woodbridge Avenue Edison, NJ 08837			5. FACILITY'S ADDRESS 660 RIVER ROAD Edgewater, NJ 07020	

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxics Substances Control Act:



For the purposes of inspecting (including taking samples, photographs, statements and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to (Check appropriate blocks):

☐ A. Financial data

☐ D. Personnel data

☐ B. Sales data

☐ E. Research data

☐ C. Pricing data

The nature and extent of the inspection of such data specified in A through E above is as follows:

Certification

I acknowledge that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

INSPECTOR SIGNATURE 		FACILITY REPRESENTATIVE SIGNATURE 	
NAME Vivian Chin		NAME MATTHEW VERNEY	
TITLE Environmental Engineer	DATE SIGNED 6/16/14	TITLE DIRECTOR OF OPERATIONS	DATE SIGNED 6/16/14

4/16/14

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US ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460  
**TOXIC SUBSTANCES CONTROL ACT**  
**TSCA INSPECTION CONFIDENTIALITY NOTICE**

1. INVESTIGATION IDENTIFICATION			4. FACILITY NAME
DATE 6/11/14	INSPECTOR NO. F16340	DAILY SEQ. NO. 1	Former Alcoa Building 12/ 38 COAH Associates, LLC
2. INSPECTOR'S NAME Vivian Chin			5. ADDRESS 660 River Road Edgewater, NJ 07020
3. INSPECTOR'S ADDRESS US-EPA Region 2 MS-105 2890 Woodbridge Avenue Edison, NJ 08837			6. NAME OF CHIEF EXECUTIVE OFFICER Fred A. Daibes
			7. TITLE CEO

**TO ASSERT A TSCA CONFIDENTIAL BUSINESS INFORMATION CLAIM**

It is possible that EPA will receive public requests for release of the information obtained during the inspection of the facility cited above. Such requests will be handled by EPA in accordance with provisions of the Freedom of Information Act (FOIA), 5 USC 552; EPA regulations issued thereunder, 40 CFR, Part 2; and the Toxic Substances Control Act (TSCA), Section 14. EPA is required to make inspection data available in response to FOIA requests unless the EPA Administrator determines that the data is entitled to confidential treatment, or may be withheld from release under other exceptions of FOIA.

Any or all information collected by EPA during the inspection may be claimed as confidential if it relates to trade secrets, commercial, or financial matters that you consider to be confidential business information (CBI). If you assert a CBI claim, EPA will disclose the information only to the extent, and by means of the procedures set forth in the regulations (cited above) governing

EPA's treatment of CBI. Among other things, the regulations require that EPA notify you in advance of publicly disclosing any information claimed as CBI.

A CBI claim may be asserted at any time prior to or during the inspection. If a CBI claim is received after the inspection, EPA will make such efforts as are administratively practicable to protect the information. However, EPA cannot assure that such efforts will be effective in light of the possibility of prior disclosure. If it is more convenient for you to assert a CBI claim on your own stationary or by making the individual documents or samples "TSCA confidential business information," it is not necessary for you to use this notice. The inspector will be glad to answer any questions you may have regarding EPA's CBI procedures.

While you may claim any collected information or sample as CBI, such claims are not likely to be upheld if they are challenged unless the information meets the following criteria:

1. Your company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures.

2. The information is not, and has not been, reasonably obtainable without your company's consent by other persons (other than governmental bodies), or by use of legitimate means (other than discovery based on showing of special need in a judicial or quasi-judicial proceeding).
3. The information is not publicly available elsewhere.
4. Disclosure of the information would cause substantial harm to your company's competitive position.

At the completion of the inspection, you will be given a receipt for all documents, samples, and other materials collected. At that time, you may make claims that some or all of the information is CBI.

If you are not authorized by your company to assert a CBI claim, this notice will be sent by certified mail, along with the receipt for documents, samples, and other materials to the Chief Executive Officer of your company within 2 days of this date. The Chief Executive Officer must return a statement specifying any information which should receive CBI treatment.

The statement from the Chief Executive Officer should be addressed to:

Michael Bious, TSCA CBI Coordinator  
USEPA-Region 2  
2890 Woodbridge Avenue  
Edison, NJ 08837

and mailed by registered, return-receipt requested mail within 7 calendar days of receipt of this notice. Claims may be made at any time after the inspection, but the inspection data will not be entered into the TSCA/CBI security system until an official confidentiality claim is made. The data

will be handled under EPA's routine security system unless and until a claim is made. If no confidentiality claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to the business.

TO BE COMPLETED BY FACILITY OFFICIAL RECEIVING THIS NOTICE  
I have received and read the notice.

If there is no one on the premise who is authorized to make CBI claims for this facility, a copy of this notice and other inspection materials will be sent to the company's Chief Executive Officer. If there is another official who should also receive this information, please designate below.

**Certification**

I acknowledge that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

SIGNATURE MATTHEW VERCH		NAME
NAME		TITLE
TITLE DIRECTOR OF OPERATIONS	DATE SIGNED 6/14/14	ADDRESS





Block 74 Lot 1.02 (INJ DEP)

R.R.  
L.P.  
Engl  
2/2/03  
[initials]

ALCOA  
Property

660 River Rd

corner of Vreeland

DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE  
RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN  
REAL PROPERTY.

Prepared by:

Mark D. London

9575 Deed  
Kathleen A. Donovan Recording Fee 85.00  
Bergen County Clerk Charge 303  
Recorded 01/14/2003 13:58 BRIDGEVIEW ABSTR  
A

Recorded by:

[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 14<sup>th</sup> day of 2003, by [North River Mews Associates, LLC c/o Camel and Fredickson, 523 River Road, Edgewater, NJ 07020 (Owner).

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of certain real property designated as Block 74 Lot 1.02, on the tax map of the Borough of Edgewater of Bergen County; New Jersey Department of Environmental Protection Case Number: NJDEP #97-6-10-0037-28, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property"); and

WHEREAS, the lead program during the remediation was the Northern Bureau of Field Operations, 2 Babcock Place, New Jersey, and

WHEREAS, the New Jersey Department of Environmental Protection ("Department") approved a remedial action on November 20, 2002, for NJDEP #97-6-10-0037-28 concerning the Property in which the Department has approved the use of institutional controls and/or engineering controls in accordance with N.J.S.A. 58:10B-13; and

WHEREAS, this Deed Notice itself is not intended to create any interest in real estate in favor of the Department, nor to create a lien against the Property, but merely is intended to provide record or notice of certain conditions and restrictions on the property and to reflect the regulatory and statutory obligations imposed as a condition of using institutional and/or engineering controls; and

MADE AND DONE

DEED NOTICE

WHEREAS, the areas described on Exhibit B attached hereto and made a part hereof (the "Affected Areas") contain contaminants above the applicable remediation standards that would allow for the unrestricted use of the Property; and

WHEREAS, the type, concentration and specific location of the contaminants are described on one or more diagrams, maps and/or tables on Exhibit B attached hereto and made a part hereof; and

WHEREAS, a narrative description of all institutional controls and associated monitoring and maintenance activities are provided in Exhibit C; and

WHEREAS, to prevent the potential for migration of the contaminants and unacceptable risk of exposure to the contamination to humans or the environment, an impermeable wall surface cover is in place at the Property, at the location shown in Exhibit B; and

WHEREAS, to prevent the potential for unacceptable exposure to the contamination to humans or the environment, a locked gate is in place at the Property, at the locations shown in Exhibit B; and]

WHEREAS, in accordance with the Department's approval of the remedial action work plan, and in consideration of the terms and conditions of that approval, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements which impose restrictions upon the use of the Property, and to restrict certain activities at the Property, as set forth below.

NOW, THEREFORE, Owner agrees to the conditions and restrictions listed below and hereby notifies all interested parties, owners, lessees and operators that the applicable regulations and statutes require of each such person while owning, leasing or operating the Property as follows:

1. RESTRICTED USES. The owner(s) of all or any fee interest in all or any portion of the Affected Areas and each operator of all or any portion of the Affected Areas shall not allow any of the following uses of the following portions of the Affected Areas



## DEED NOTICE

Portions of the Affected Area	Restricted Use
The entire site	<ul style="list-style-type: none"> <li>• General public access to the site is prohibited and will be controlled by appropriate fencing and security measures.</li> <li>• Access will be limited appropriately trained and informed staff for routine inspections, maintenance, and repair activities.</li> </ul>
The painted interior surfaces of the exterior walls on the first floor and in the basement	<ul style="list-style-type: none"> <li>• No modification of these surfaces will be permitted without the prior approval of the Department, except routine maintenance and inspection.</li> <li>• There shall be no development or modification of the site without prior approval of the Department.</li> </ul>

**2. EMERGENCIES.** In the event of an emergency which presents a significant risk to public health, safety, or the environment, the application of Paragraph 1 above may be temporarily and unilaterally suspended, by Owner, provided that the Owner:

- i. Immediately notifies the Department of the emergency;
- ii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;
- iii. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the residual contamination; and
- iv. Restores the Affected Areas to the pre-emergency conditions to the extent reasonably possible, and provides a report to the Department of such emergency and restoration efforts within ninety (90) calendar days after the end of the emergency.

### 3. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

## DEED NOTICE

(a) Except as provided in Paragraph 2 above, no owner or operator shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Affected Areas which disturbs any engineering control or which creates an unacceptable risk of exposure of humans or the environment to contamination in the Affected Areas without first obtaining the express written consent of the Department. Nothing herein shall constitute a waiver of the Owner's or operator's obligation to comply with all applicable laws and regulations.

(b) Notwithstanding subparagraph 3(a) above, the Department's consent is not required for any alteration, improvement, or disturbance provided the Owner or operator:

i. Provides for restoration of any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance; and

ii. Does not allow an exposure level above those noted under Restricted Uses, provided that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance.

4. ACCESS. While this Deed Notice is in effect, the Owner agrees to allow the Department, its agents and representatives access to the property to inspect and evaluate the continued effectiveness of the institutional or engineering controls and to conduct additional remediation to ensure the protection of the public health and safety and the environment.

5. NOTICE TO LESSEES AND OTHER HOLDERS OF PROPERTY INTERESTS. Owner shall cause all leases, grants, and other written transfers of interest in the Affected Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of Owner to provide any notice required by any law, regulation, or order of any governmental authority.

6. ENFORCEMENT OF VIOLATIONS. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. A violation of this Deed Notice shall not affect the status of the ownership of or title to the Property. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11u and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11g.

7. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable, such provision shall be deemed to have been modified automatically to conform to the requirements for validity

## DEED NOTICE

and enforceability as determined by such court. In the event that the provision invalidated is of such a nature that this provision cannot be so modified, the provision shall be deemed deleted from this instrument as though it had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

8. **SUCCESSORS AND ASSIGNS.** This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns while each is an owner or operator of the Property, and the Department.

9. **REQUIREMENT OF NOTIFICATION.** The Owner shall notify any person who intends to excavate on the property of the nature and location of any contamination existing on the property and of any conditions or measures necessary to prevent exposure to contaminants.

### 10. TERMINATION AND MODIFICATION.

(a) This Deed Notice shall terminate only upon filing of an instrument, executed by the Department, in the office of the County Clerk/Register of Deeds and Mortgages of Bergen County, New Jersey, expressly terminating this Deed Notice.

(b) Any person may request in writing at any time that the Department modify or terminate this Deed Notice or initiate termination proceedings based on, for example, a proposal that the Property does not pose an unacceptable risk to public health and safety or the environment. Within ninety (90) calendar days after receiving such a request the Department will either:

i. Approve the request and have the Owner:

--Record with the office of the county recording officer a notice executed by the Department that the use of the Property is no longer restricted and the Deed Notice is terminated or record a modified Deed Notice delineating the new restrictions; and

--Provide written notice to each municipality in which the Property is located, with a copy to the Department, of the removal or change of the restrictions contained herein; or

ii. Issue a written notification of intent to deny the request pursuant to (c) below.

(c) The Department will set forth in a notice of intent to deny a request to modify or terminate this Deed Notice the basis for its decision. The owner can respond to the intent to deny by providing new or additional information or data. The Department will review any such new or additional information or data and issue a final decision to grant or deny the request within sixty (60) calendar days after the Department's receipt of the owner's response.

DEED NOTICE

IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

[If Owner is a limited liability company]

North River Mews Associates, LLC

WITNESS:

Laura Sharp  
[Print name and title]

By

Fred A. Daibes, Managing Member  
[Print name and title]

State of NJ County of Bergen  
I certify that on January 14, 2003, Fred Daibes personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Managing Member of the Limited Liability Company named in this document, Fred A. Daibes
- (b) this person is the attesting witness to the signing of this document by the proper officer who is the secretary of the LLC;
- (c) this document was signed and delivered by the LLC as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the LLC which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

Laura Sharp  
Laura Sharp, Secretary  
[Print name and title of attesting witness]

Signed and sworn before me on

January 14, 2003

Ann Marie Kalbhenn  
[Print name and title], Notary Public

ANN MARIE KALBHENN

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires Dec 21, 2004

R & R

Bridgeview Abstract  
260 Columbia Ave  
Fort Lee, NJ, 07024

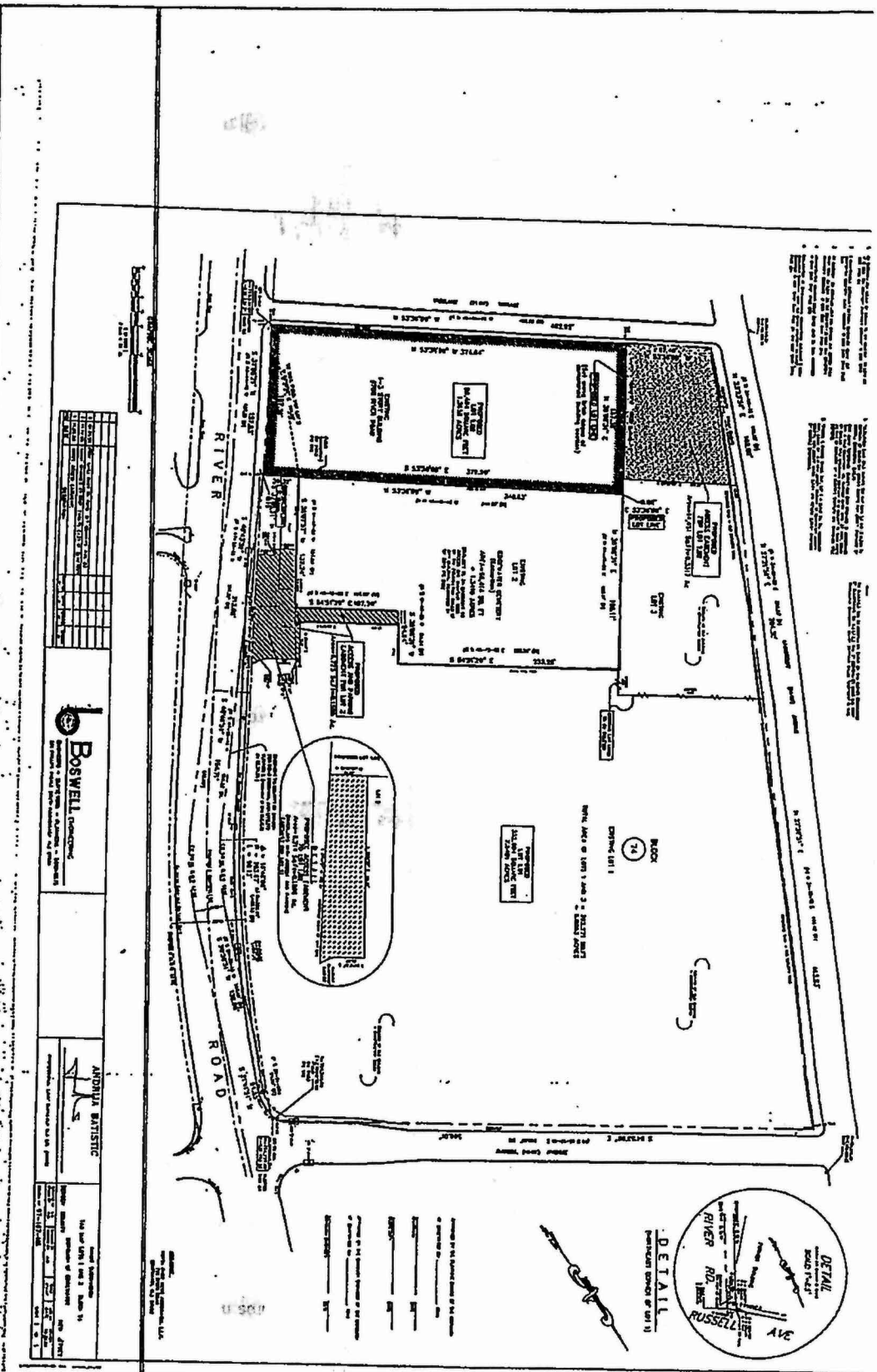


DEED NOTICE

EXHIBIT A  
Metes and Bounds Description of Property  
And  
Property Location

Exhibit A1: Tax Map  
Exhibit A2: Property Boundary  
Exhibit A3: Building 12 Location  
Exhibit A4: Site Map

1. The following information was obtained from the site visit on 10/10/01:  
 2. The site is located on the east side of the river, approximately 1/2 mile north of the bridge.  
 3. The site is a large, rectangular area, approximately 100 feet by 150 feet.  
 4. The site is currently used as a storage area for various materials.  
 5. The site is surrounded by a fence, with a gate on the south side.  
 6. The site is adjacent to a road, which is approximately 10 feet wide.  
 7. The site is located on a slight rise, with a stream bed running along the east side.



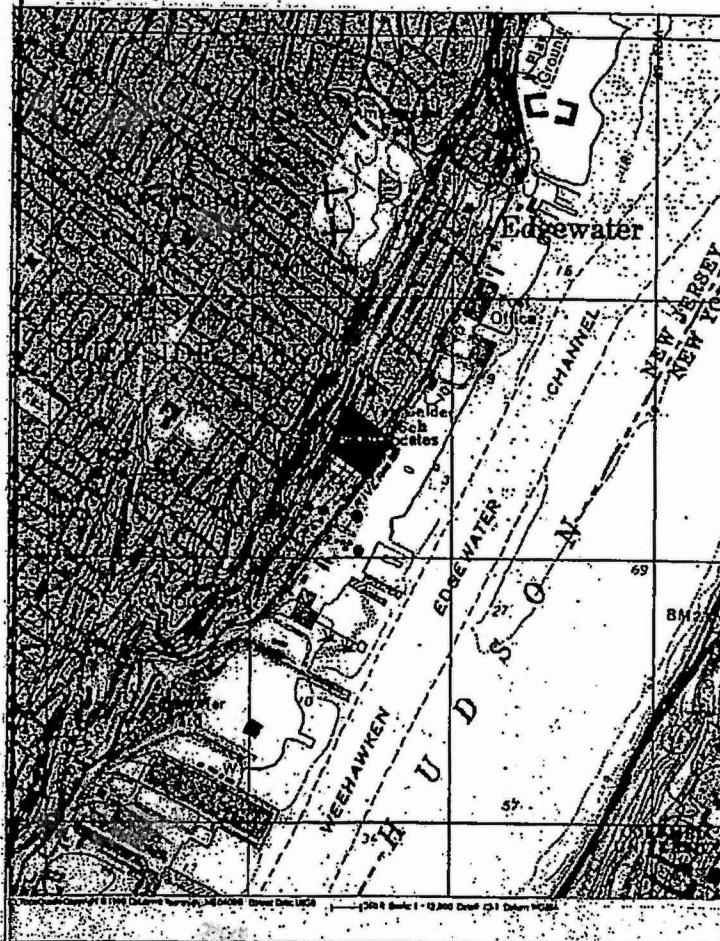
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2	Gravel	100	100
3	Gravel	100	100
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100	Gravel	100	100

**Boswell**  
 CONSULTING  
 1000 1st St. N.  
 Grand Rapids, MI 49503  
 Phone: 616-233-1111  
 Fax: 616-233-1112  
 Email: info@boswellconsulting.com

**ANDRILIA BASTIEN**  
 1000 1st St. N.  
 Grand Rapids, MI 49503  
 Phone: 616-233-1111  
 Fax: 616-233-1112  
 Email: info@boswellconsulting.com

Section	Description	Area (sq. ft.)	Volume (cu. yd.)
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3	Gravel	100	100
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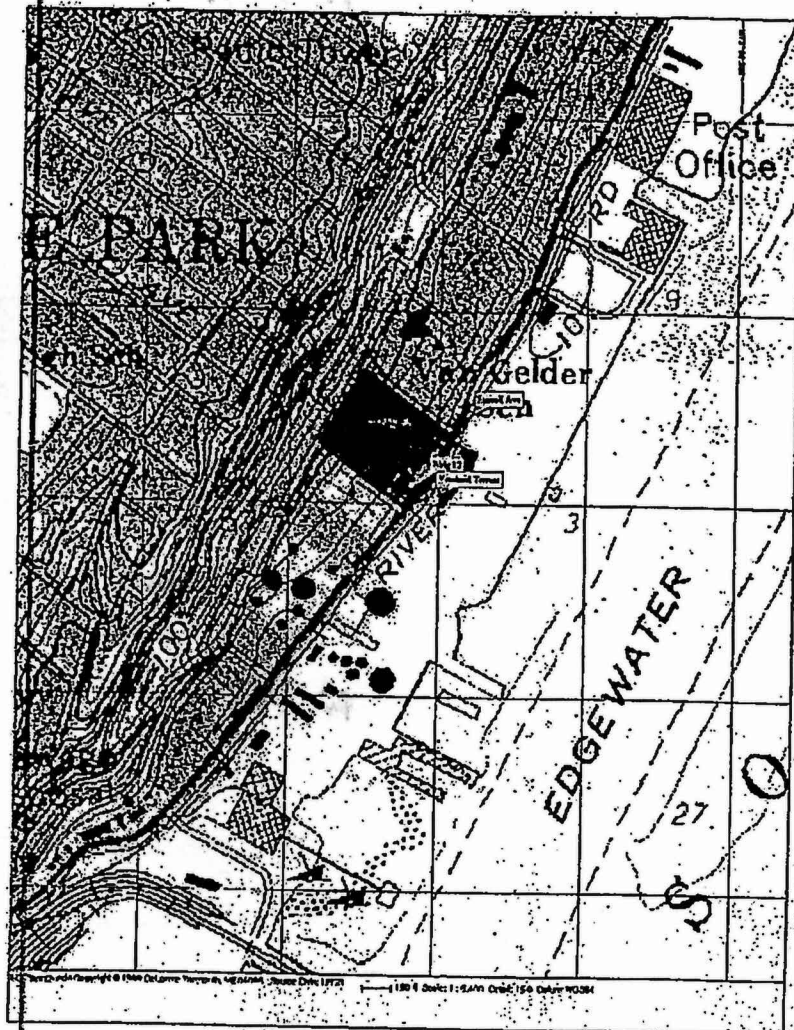
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**Deed Notice - Exhibit A2**  
 North River Mews Associates, LLC  
 Former ALCOA Facility  
 700 River Road, Edgewater, New Jersey  
 Enviro-Sciences, Inc.  
 111 Howard Blvd., Mt. Arlington, NJ

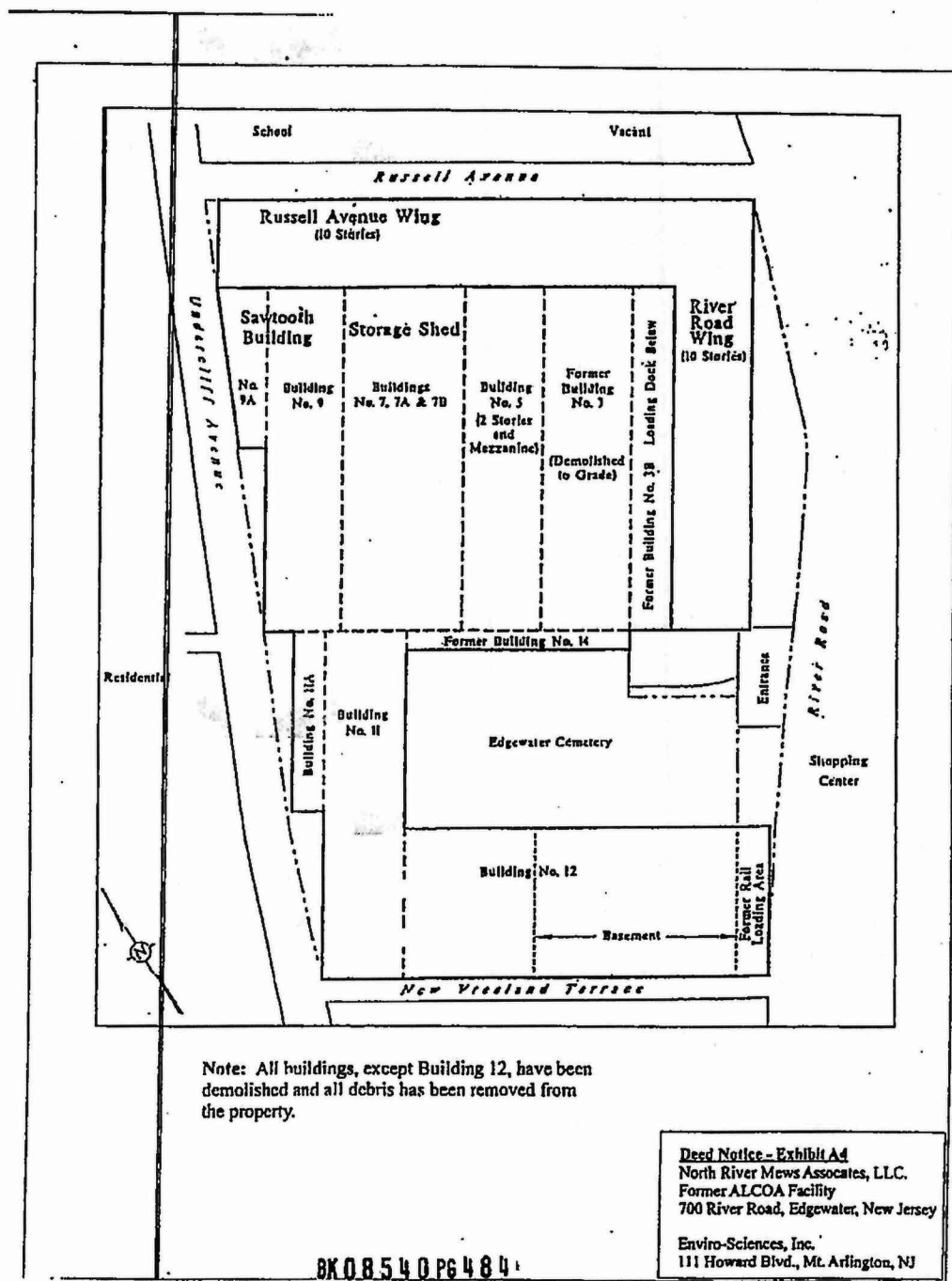
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Deed Notice - Exhibit A3  
 North River Mews Associates, L.L.C.  
 Former ALCOA Facility  
 700 River Road, Edgewater, New Jersey  
 Enviro-Sciences, Inc.  
 111 Howard Blvd., Mt. Arlington, NJ

BK08540PG483



Note: All buildings, except Building 12, have been demolished and all debris has been removed from the property.

**Deed Notice - Exhibit A4**  
 North River Mews Associates, LLC.  
 Former ALCOA Facility  
 700 River Road, Edgewater, New Jersey  
 Enviro-Sciences, Inc.  
 111 Howard Blvd., Mt. Arlington, NJ

BK08540PG484

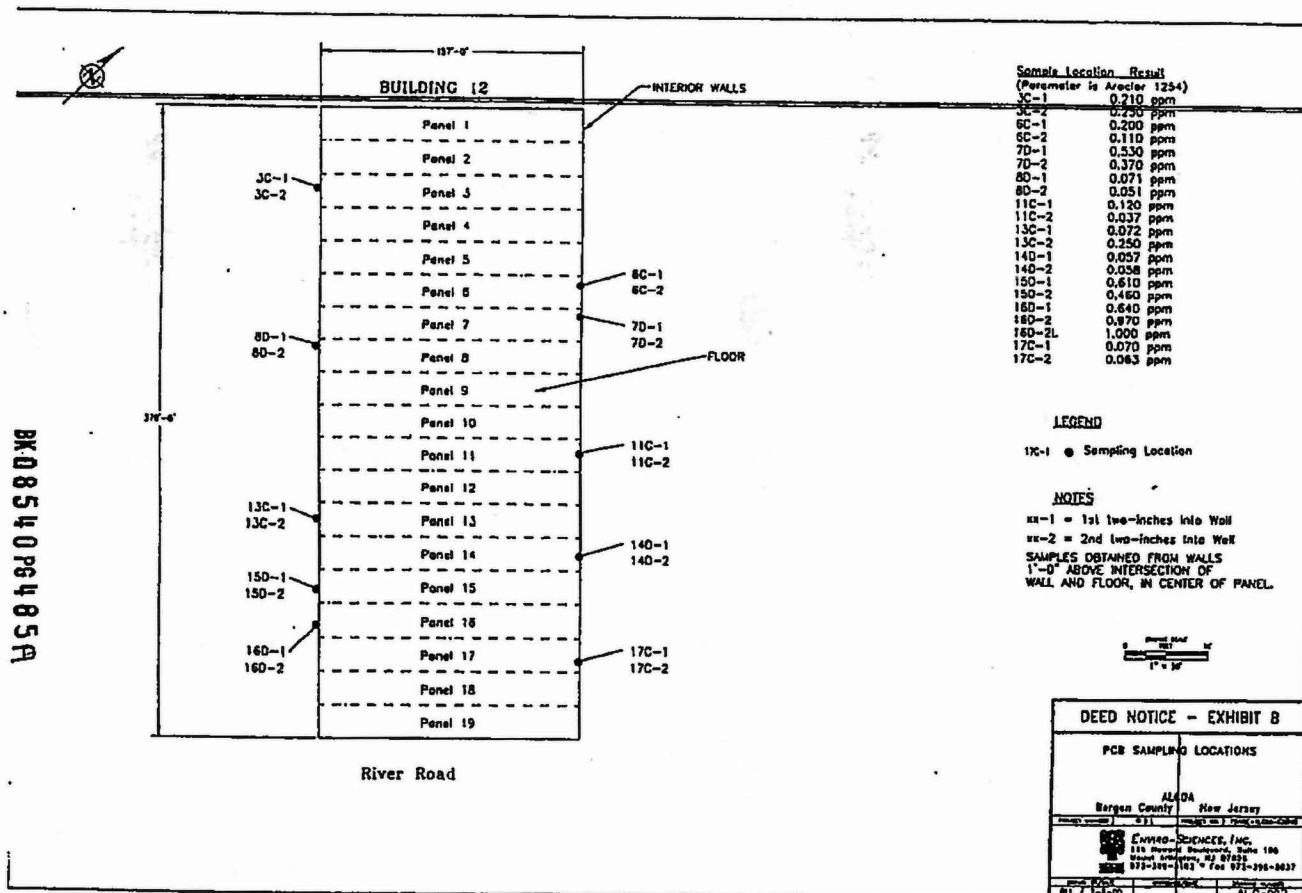
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DEED NOTICE

Exhibit B  
Building 12 Interior Floor Plan

AK00054006485

BK08540P8405A





## DEED NOTICE

### Exhibit C Description of Affected Areas

On the site described in Exhibit A, the remains or "shell" of the former ALCOA facility, consists primarily of the Northern, Eastern, and Southern exterior walls and roof of the former ALCOA Building 12 (Building 12). Due to prior ALCOA uses in Building 12, the interior surface of bottom 8-feet of the remaining walls have exhibited elevated levels of polychlorinated biphenols (PCBs) in excess of 0.49 parts per million (ppm).

In order to limit the public's exposure to the PCBs contained in the walls, they have been coated with two coats of epoxy paint to a height of 8-feet. Application of the paint followed the manufacture's specification. This paint was approved by the Department.

### Routine Inspection and Maintenance

The interior painted wall surfaces will be annotated (i.e., numbered or lettered) in such a manner to allow identification of each wall panel.

The epoxy painted surfaces of the exterior walls will be inspected on a semi-annual basis. The painted surfaces will be examined to determine if the walls remain sealed. Specifically, the surfaces will be examined for areas where the paint has failed to adhere to the wall surface. These areas will require maintenance.

A log of these inspections will be maintained in the offices of the Owner. The log will indicate the date and time of each inspection, the name of the inspector, and a narrative description of the condition of the wall surfaces. Time-dated photographs of the typical wall sections will be included in the log.

If the paint has failed, these sections of the walls will be prepared and repainted according to the manufacturer's specifications. The log will include appropriate notation indicating the time and date of such repairs, along with appropriate photographs.

### Site Security

The public will be excluded from the site by appropriate security measures, including appropriate security fencing, locked gates, etc. These measures will be inspected monthly to assure that they remain effective in excluding the public.



**ENVIRO-SCIENCES (OF DELAWARE), INC.**

781 ROUTE 15 SOUTH  
LAKE HOPATCONG, NJ 07849  
(973) 398-8183 · FAX: (973) 398-8037

April 1, 2011

Via UPS

Bureau of Case Assignment and Initial Notice  
New Jersey Department of Environmental Protection  
Site Remediation Program  
401 East State Street, PO Box 434  
Trenton, NJ 08625 Site Remediation Program

Re: RAO, Remediation Fee, and Termination of Deed Notice  
Former Alcoa Building 12  
660 River Road  
Borough of Edgewater  
Bergen County, New Jersey 07020  
Block 74, Lot 1.02  
SRP PI No. 023713, Case No. 97-06-10-0037-28

To Whom It May Concern:

Enviro-Sciences (of Delaware), Inc. (ESI) was retained by 38 COAH Associates, LLC, the current property owner to remove the Deed Notice that was established for contamination in the walls of Building 12, located on the subject property. ESI discussed this situation with several New Jersey Department of Environmental Protection (NJDEP) Site Remediation Managers, as building interiors are not addressed under the NJDEP regulations. A Draft *Termination of Deed Notice* for Building 12 was submitted to NJDEP on August 30, 2010, and approved by Kristin Hahn, NJDEP Bureau Chief, by letter dated September 17, 2010. The Deed Notice was terminated and recorded at the Bergen County Courthouse on October 19, 2010. ESI was further instructed to issue a Response Action Outcome that includes the "Building Interiors Not Addressed" insert for the building that will remain. An annual fee of \$450 would be applicable (i.e zero areas of concern). Enclosed is the Annual Remediation Fee form, a \$450 check, a copy of the RAO, the RAO Submittal Form, and a copy of the recorded Termination of Deed Notice.

Should you have any questions, please do not hesitate to contact me at (973) 398-8183 extension 222, or [jgear@enviro-sciences.com](mailto:jgear@enviro-sciences.com).

Very truly yours,  
ENVIRO-SCIENCES (OF DELAWARE), INC.

John I. Gear, PG  
Vice President

Cc: Borough of Edgewater Clerk  
Fred Daibes  
Berek Don  
Irv Cohen



New Jersey Department of Environmental Protection  
Site Remediation Program

ANNUAL REMEDIATION FEE REPORTING FORM

Date Stamp  
(For Department use only)

Date: 10/10/2010

SECTION A. SITE NAME AND LOCATION

Site Name: Former Alcoa Buiding No. 12

List all AKAs: 38 COAH Associates, LLC; A.P. New Jersey, Inc.

Street Address: 660 River Road

Municipality: Edgewater (Township, Borough or City)

County: Bergen Zip Code: 07020

Mailing Address if different than street address: 1000 Portside Drive, Edgewater, NJ 07020

Program Interest (PI) Number(s): 023713 Case Tracking Number(s): 97-06-10-0037-28

Date trigger compliance with Section 30 of Site Remediation Reform Act PL 05/03/2010

State Plane Coordinates for a central location at the site: Easting: 636167.1 Northing: 723694.6

Municipal Block(s) and Lot(s): Block # 74 Lot # 1.02

Block # Lot # Block # Lot #

Block # Lot # Block # Lot #

Block # Lot # Block # Lot #

Block # Lot # Block # Lot #

Check One: First Annual ☐ Renewal ☐

SECTION B. APPLICATION CATEGORY FEE

Fee Category	Number of CAOC	Annual Fee
<input checked="" type="checkbox"/> 1	0 to 1	\$450.00
<input type="checkbox"/> 2	2 to 10	\$900.00
<input type="checkbox"/> 3	11 to 20	\$5,000.00
<input type="checkbox"/> 4	> 20	\$9,500.00

\* Regulated UST excluding regulated heating oil systems are in Category 2

\* Landfills are in Category 3

SECTION C. CONTAMINATED MEDIA FEE

<input type="checkbox"/> Ground Water Contamination	\$1,400.00
<input type="checkbox"/> Surface Water Sediment Contamination	\$1,400.00
<input type="checkbox"/> Ground Water Unpermitted Discharge to Surface Water	\$1,400.00

Total Fee Paid: Check #:

**SECTION D. CONTAMINATED AREAS OF CONCERN – List all CAOCs (include existing, new and closed (RAO Filed)).**

Description of Contaminated Area of Concern	New Since Last Annual Fee Form Submitted? <input checked="" type="checkbox"/> If "Yes"	RAO Date (If applicable)	Permit Type (If applicable)	Permit ID Number	Permit Date
	<input type="checkbox"/>				
	<input type="checkbox"/>				
	<input type="checkbox"/>				
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**SECTION E. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION**

Full Legal Name of the Person Responsible for Conducting the Remediation: Daibes Brothers, Inc.

Representative First Name: Glen Representative Last Name: Donlan

Title: Vice President

Phone Number: (201) 840-0050 Ext: \_\_\_\_\_ Fax: (201) 313-9044

Mailing Address: 1000 Portside Drive

City/Town: Edgewater State: NJ ZIP Code: 07020

Email Address: GDonlan@Daibes.com

Developer Certification Included ☐ or Filed \_\_\_\_\_ Date of Filing \_\_\_\_\_

This certification shall be signed by the responsible party who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

*I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, and that to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.*

Signature:  Date: 10/11/2010

Name/Title: Glen Donlan/ Vice President Changes Since Last Submittal ☐



**SECTION F. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT**LSRP ID Number: 508254First Name: JohnLast Name: GearPhone Number: (973) 398-8183Ext: 222Fax: (973) 398-8037Mailing Address: 111 Howard Boulevard, Suite 108City/Town: Mt. ArlingtonState: NJZIP Code: 07856Email Address: jgear@enviro-sciences.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with SRRA Section 16 d. and Section 30 b.2.

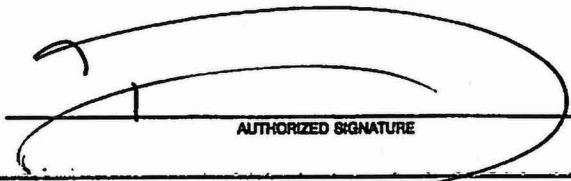
*I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey.*

*I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.*

LSRP Signature: Date: 10/26/10LSRP Name/Title: John Gear/ Vice PresidentChanges Since Last Submittal ☐Company Name: Enviro-Sciences (of Delaware), Inc.

Completed forms should be sent to:

Bureau of Case Assignment & Initial Notice  
New Jersey Department of Environmental Protection  
Site Remediation Program  
401 East State Street, PO Box 434  
Trenton, NJ 08625

		2169
<b>FRED A. DAIBES</b> 1000 PORTSIDE DR. EDGEWATER, NJ 07020-1100		<b>MARINER'S BANK</b> EDGEWATER, NJ 07020 55-1355-212
		10/11/2010
PAY TO THE ORDER OF	NJDEP	\$ **450.00
Four Hundred Fifty and 00/100*****		DOLLARS
NJDEP		
MEMO	38 COAH Former Alcoa Building 12 <div align="right">           AUTHORIZED SIGNATURE       </div>	

807507940188

Security features. Details on back.

⑈002169⑈ ⑆021213559⑆ 1100001476⑈

<b>FRED A. DAIBES</b>	2169
NJDEP	
10/11/2010	
Review Fee - 660 River Road Edgewater, New Jerse	450.00

Mariner's Bank - FAD	38 COAH Former Alcoa Building 12	450.00
----------------------	----------------------------------	--------



ENVIRO-SCIENCES (OF DELAWARE), INC.  
111 HOWARD BOULEVARD, SUITE 108  
MT. ARLINGTON, NJ 07856  
(973) 398-8183 • Fax (973) 398-8037

October 27, 2010

Via UPS

Mr. Glen Donlan, Vice President  
Daibes Brothers, Inc.  
1000 Portside Drive  
Edgewater, NJ 07020

Re: Response Action Outcome

Remedial Action Type: *Unrestricted Use*  
Scope of Remediation: *Entire Site*  
Case Name: *Former Alcoa Facility Building 12 (AP New Jersey, Inc.)*  
Address: *660 River Road*  
Municipality: *Edgewater*  
County: *Bergen*  
Block: *74 Lot: 1.02*  
Preferred ID: *023713*  
MOA #: *97-06-10-0037-28*

Dear Mr. Donlan:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the site specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites -N.J.A.C. 7:26C-6.2(c), that is protective of public health, safety and the environment and full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C.7:26C-4.

This remediation includes the completion of a Remedial Action as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E). The Remedial Action was the *Termination of Deed Notice* that was established on the property on January 13, 2003 for Polychlorinated Biphenyl (PCB) contamination in the walls of Building 12 located on the subject property. The NJDEP Technical Requirements for Site Remediation N.J.A.C. 7:26E et al, (Tech Regs) specifically exclude the investigation/remediation of building interiors, except when interior contamination discharged outside the building. The soils under the building had been sampled as part of the original investigation, and no Deed Notice was required for the soils.

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C - three electronic copies of all records related to the remediation activities that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which the decision was based to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

### **CONDITIONS**

Pursuant to N.J.S.A. 58:10B-12o, Daibes Brothers, Inc. and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days of when its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to: New Jersey Department of Environmental Protection, Bureau of Case Assignment and Initial Notice – Case Assignment Section, P.O. Box 434, Trenton, N.J. 08625.

### **NOTICES**

#### **Building Interiors Not Addressed**

Please be advised that the remediation that is covered by this Response Action Outcome does not address the remediation of hazardous substances that may exist in building interiors or equipment, including, but not limited to, radon, asbestos and lead. As a result, any risks to human health presented by any building interior or equipment remains. A complete building interior evaluation should be completed before any change in use or re-occupancy is considered.

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. In addition, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that should have been addressed by the Response Action Outcome, b) if the Licensed Site Remediation Professional Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at (973) 398-8183, x 222.

Sincerely,  
ENVIRO-SCIENCES (OF DELAWARE), INC.

A handwritten signature in black ink, appearing to read "John Gear", with a stylized, cursive script.

John Gear, PG  
Vice President, Hydrogeology  
Licensed Site Remediation Professional #508254

cc: Local, County Environmental Health Act Agency and Regional Health Department(s)  
Mayor/Clerk/Town Council, Borough of Edgewater  
Kirsten Hahn, NJDEP  
NJDEP Bureau of Case Assignment and Initial Notice  
Fred Daibes  
Berek Don  
Irving Cohen





New Jersey Department of Environmental Protection  
Site Remediation Program

RESPONSE ACTION OUTCOME FORM

Date Stamp  
(For Department use only)

The purpose of the response action outcome (RAO) form is to help insure that the RAO issued by a licensed site remediation professional is prepared correctly, the remediation of a contaminated site or area of concern is protective of public health, safety and the environment and the site has been remediated in accordance with all applicable statutes, regulations and guidance.

**NOTE: A Response Action Outcome shall not be issued until all fees and oversight costs have been paid to the Department.**

**SECTION A. SITE NAME AND LOCATION**

Site Name: Former Alcoa Facility - Building No. 12

List All AKAs: 38 COAH Associates, LLC; A.P. New Jersey, Inc.

Street Address: 660 River Road

Municipality: Edgewater (Township, Borough or City)

County: Bergen Zip Code: 07020

Mailing Address if different than street address: 1000 Portside Drive, Edgewater, NJ 07020

Program Interest (PI) Number(s): 023713 Case Tracking Number(s): 97-06-10-0037-28

Date trigger compliance with Section 30 of Site Remediation Reform Act PL: 05/03/2010

State Plane Coordinates for a central location at the site: Easting: \_\_\_\_\_ Northing: \_\_\_\_\_

Municipal Block(s) and Lot(s):

Block #:	<u>74</u>	Lot #:	<u>1.02</u>	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____
Block #:	_____	Lot #:	_____	Block #:	_____	Lot #:	_____

**SECTION B. REQUIRED TECHNICAL SUBMITTALS**

	Included in this Submission	Previously Submitted	Date of Submission	Date of Revised Submission if Applicable
Preliminary Assessment Report	<input type="checkbox"/>	<input type="checkbox"/>		
Site Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>		
Remedial Investigation/Remedial Action Work Plan	<input type="checkbox"/>	<input type="checkbox"/>		
Remedial Action Report	<input type="checkbox"/>	<input type="checkbox"/>		
Remedial Action Permit Issued	NA	<input type="checkbox"/>		

Permit Type, Number and Date:

**SECTION C. GENERAL SITE INFORMATION****Current Site Use (check all that apply)**

- ☐ Industrial ☐ Agricultural  
☐ Residential ☐ Park or recreational use  
☐ Commercial ☒ Vacant  
☐ School/Childcare ☐ Other: \_\_\_\_\_

**Intended Future Use (check all that apply)**

- ☐ Industrial ☐ Agricultural  
☒ Residential ☐ Park or recreational use  
☐ Commercial ☐ Vacant  
☐ School/Childcare ☒ Future site use unknown

**SECTION D. PUBLIC FUNDS**

Did the remediation utilize public funds? ..... ☐ Yes ☒ No

If "Yes," check applicable: ☐ UST Grant ☐ UST Loan ☐ Brownfield Reimbursement Program  
☐ HDSRF Grant ☐ HDSRF Loan ☐ Landfill Reimbursement Program  
☐ Spill Fund ☐ Schools Development Authority

**SECTION E. SCOPE OF THE RESPONSE ACTION OUTCOME (check only 1 box)**

- ☐ Area(s) of Concern Only  
☒ Entire Site or ISRA Subject Industrial Establishment  
☐ Entire Site - Child Care Facility License

**SECTION F. EXTENT OF REMEDIATION COVERED BY THE RESPONSE ACTION OUTCOME (check only 1 box)**

- ☒ Unrestricted RAO  
☐ Limited Restricted RAO  
☐ Restricted RAO

**SECTION G. RESPONSE ACTION OUTCOME PREPARATION CHECKS**

1. Was the RAO issued only to the "Person(s) that conducted the Remediation"? ..... ☒ Yes ☐ No  
2. Does the language in the issued RAO document conform to the RAO shell document? ..... ☒ Yes ☐ No  
3. Were all the applicable individuals/agencies noted in the shell document copied on the RAO? ..... ☒ Yes ☐ No  
4. Are there electronic copies of all remediation related records included with this submittal? ..... ☒ Yes ☐ No  
5. Have all Department fees and outstanding oversight costs been paid? ..... ☒ Yes ☐ No  
6. Have any identified deficiencies been addressed in this or prior submittal? ..... ☐ Yes ☒ No ☐ N/A  
7. Did the remedial action render the property unusable for future redevelopment or recreation use? ..... ☐ Yes ☒ No

**SECTION H. MEDIA IMPACTED/REMEDIATED****1. Soil**

Indicate the Remediation Standards used for all compounds (check all that apply).

- ☐ Default (check all that apply below)  
☐ Direct Contact ☐ Impact to Groundwater Soil Screening Levels ☐ Ecological Screening Levels  
☐ Alternate Remediation Standards for the Ingestion/Dermal Pathway  
☐ Alternate Remediation Standards for the Inhalation Pathway  
☐ Site Specific Standards for the Impact to Groundwater Pathway (check all that apply below)  
☐ Soil-Water Partitioning Equation ☐ SPLP ☐ Sesoil ☐ Sesoil/AT123D  
☐ Ecological Remediation Goals

What is the ground water classification for this site as per N.J.A.C. 7:9C (check all that apply)?

- ☐ Class I-A ☐ Class II-A  
☐ Class I-PL Pinelands Protection Area. ☐ Class III-A  
☐ Class I-PL Pinelands Preservation Area ☐ Class III-B

Was compliance averaging utilized to determine compliance with the Inhalation Pathway? ..... ☐ Yes ☐ No ☐ N/A

Was a compliance option utilized to determine compliance with the Impact to Ground Water Pathway? ..... ☐ Yes ☐ No ☐ N/A

**2. Soil Remediation Types (check all that apply):**

- |   |                                      |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> No remedial action required | <input type="checkbox"/> Excavation  |
| <input type="checkbox"/> Capping                                | <input type="checkbox"/> Treatment   |
| <input type="checkbox"/> Institutional Control                  | <input type="checkbox"/> Other _____ |

**3. Ground Water**

Have the Ground Water Quality Standards been met? ..... ☐ Yes ☐ No

Do groundwater concentrations remain above the Ground Water Quality Standards but concentrations are low and non-decreasing? ..... ☐ Yes ☐ No ☐ N/A

**4. Ground Water Remediation Types (check all that apply):**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> No remedial action required | <input type="checkbox"/> Physical Containment | <input type="checkbox"/> Pump & Treat          |
| <input type="checkbox"/> In-Situ                                | <input type="checkbox"/> Hydraulic Control    | <input type="checkbox"/> Institutional Control |
| <input type="checkbox"/> Monitored Natural Attenuation          | <input type="checkbox"/> Other _____          |  |

**5. Ecological**

Was wetlands mitigation/restoration required? ..... ☐ Yes ☐ No

Was a wetlands mitigation/restoration plan approved by NJDEP? ..... ☐ Yes ☐ No

Do contaminant levels currently meet ecological screening levels or ecological remediation goals?

Surface water..... ☐ Yes ☐ No ☐ N/A

Sediment..... ☐ Yes ☐ No ☐ N/A

**6. Wetland Remediation Types (check all that apply):**

- |   |                                      |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> No remedial action required | <input type="checkbox"/> Capping     |
| <input type="checkbox"/> Excavation                             | <input type="checkbox"/> Other _____ |

**7. Sediment Remediation Types (check all that apply):**

- |   |                                      |
|---|--------------------------------------|
| <input checked="" type="checkbox"/> No remedial action required | <input type="checkbox"/> Capping     |
| <input type="checkbox"/> Excavation                             | <input type="checkbox"/> Other _____ |

**8. General**

Has radionuclide contamination been addressed in any media? ..... ☐ Yes ☐ No ☐ N/A

**SECTION I. ALTERNATIVE STANDARD / DEVIATIONS**

**Alternative remediation standard**

If proposing an alternative remediation standard pursuant to N.J.A.C. 7:26D-7.4, check here and attach the Alternative Soil Remediation Standard Application Form as an addendum. ☐

**Deviation from regulations**

If the Licensed Site Remediation Professional has varied from the Technical Rules, provide the citation(s) from which the remediation varied and the page(s) in the attached document where the rationale for the deviation is provided.

N.J.A.C. 7:26E- \_\_\_\_\_ Page \_\_\_\_\_

N.J.A.C. 7:26E- \_\_\_\_\_ Page \_\_\_\_\_

N.J.A.C. 7:26E- \_\_\_\_\_ Page \_\_\_\_\_

**SECTION J. RESPONSE ACTION OUTCOME NOTICES (check all the apply and were used in the RAO document)**

**1. General Notices**

- ☐ Well Decommissioning  
☒ Building Interiors Not Addressed

**2. Child Care Facility Notices**

- ☐ Child Care Potable Water Notice (Use this notice in all Child Care Facility RAOs)  
☐ Child Care Specific-Multi-Tenant Situations  
☐ Child Care Play Area  
☐ Child Care Center notice (Use this notice in all Child Care Facility RAOs)

### 3. Contamination Remaining Onsite

- ☐ Regional Natural Background Levels of Contamination
- ☐ Existing CEA or Deed Notice
- ☐ Soils Only RAO
- ☐ Ground Water Contamination Not Yet Remediated
- ☐ Contamination Remaining Onsite due to Migration from Off-site Source
- ☐ Known Onsite Contamination Source Not Yet Remediated
- ☐ Less than an Order of Magnitude Remediation Standard Change For A Site With An Approved RAW Prior To A New Remediation Standard
- ☐ Less than an Order of Magnitude Remediation Standard Change For A Site With A Final Remediation Document Prior to A New Remediation Standard

### 4. ISRA Specific Notices

- ☐ ISRA Specific-RCRA Situations
- ☐ ISRA Specific- Multi-Tenant Situations
- ☐ ISRA Specific- Landfill Situations

## SECTION K. PERSON RESPONSIBLE FOR CONDUCTING THE REMEDIATION INFORMATION AND CERTIFICATION

Full Legal Name of the Person Responsible for Conducting the Remediation: Daibes Brothers, Inc.

Representative First Name: Glen Representative Last Name: Donlan

Title: Vice President

Phone Number: (201) 840-0050 Ext:  Fax: (201) 313-9044

Mailing Address: 1000 Portside Drive

City/Town: Edgewater State: NJ Zip Code: 07020

Email Address: GDonlan@Daibes.com

Developer Certification Included ☐ or Filed  Date of Filing

This certification shall be signed by the person responsible for conducting the remediation who is submitting this notification in accordance with Administrative Requirements for the Remediation of Contaminated Sites rule at N.J.A.C. 7:26C-1.5(a).

*I certify under penalty of law that I have personally examined and am familiar with the information submitted herein, including all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, to the best of my knowledge, I believe that the submitted information is true, accurate and complete. I am aware that there are significant civil penalties for knowingly submitting false, inaccurate or incomplete information and that I am committing a crime of the fourth degree if I make a written false statement which I do not believe to be true. I am also aware that if I knowingly direct or authorize the violation of any statute, I am personally liable for the penalties.*

Signature: 

Date: 10/11/2010

Name/Title: Glen Donlan/ Vice President

No Changes Since Last Submittal ☒

Company Name: Daibes Brothers, Inc.

**SECTION L. LICENSED SITE REMEDIATION PROFESSIONAL INFORMATION AND STATEMENT**LSRP ID Number: 508254First Name: JohnLast Name: GearPhone Number: (973) 398-8183Ext: 222Fax: (973) 398-8037Mailing Address: 111 Howard Boulevard, Suite 108City/Town: Mt. ArlingtonState: NJZip Code: 07856Email Address: jgear@enviro-sciences.com

This statement shall be signed by the LSRP who is submitting this notification in accordance with SRRA Section 16 d. and Section 30 b.2.

*I certify that I am a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey. As the Licensed Site Remediation Professional of record for this remediation, I:*

**[SELECT ONE OR BOTH OF THE FOLLOWING AS APPLICABLE]:**☐ *directly oversaw and supervised all of the referenced remediation, and/or*☒ *personally reviewed and accepted all of the referenced remediation presented herein.**I believe that the information contained herein, and including all attached documents, is true, accurate and complete.**It is my independent professional judgment and opinion that the remediation conducted at this site, as reflected in this submission to the Department, conforms to, and is consistent with, the remediation requirements in N.J.S.A. 58:10C-14.**My conduct and decisions in this matter were made upon the exercise of reasonable care and diligence, and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals practicing in good standing, in accordance with N.J.S.A. 58:10C-16, in the State of New Jersey at the time I performed these professional services.**I am aware pursuant to N.J.S.A. 58:10C-17 that for purposely, knowingly or recklessly submitting false statement, representation or certification in any document or information submitted to the board or Department, etc., that there are significant civil, administrative and criminal penalties, including license revocation or suspension, fines and being punished by imprisonment for conviction of a crime of the third degree.*LSRP Signature: Date: 10/26/10LSRP Name/Title: John Gear/ Vice PresidentNo Changes Since Last Submittal ☒Company Name: Enviro-Sciences (of Delaware), Inc.



TERMINATION OF DEED NOTICE

FILED AT THE OFFICE OF THE  
REGISTER OF  
BERGEN COUNTY



10-086767 NON ABSTRACTED DEED  
V Bk: 00555 Pg: 1997-2008 Rec. Fee \$153.00  
Kathleen A. Donovan, Bergen County Clerk  
Recorded 10/19/2010 01:23:29 PM

IN DEED BOOK \_\_\_\_\_ Pages \_\_\_\_\_

AS TO  
BLOCK 72 LOT 1.02 TAX MAP OF BERGEN COUNTY

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE  
SAME MANNER AS DEEDS AND OTHER INTERESTS IN REAL PROPERTY.

Prepared by: John Gear

Recorded by: \_\_\_\_\_

[Signature, Clerk of Bergen County and  
Register of Deeds]  
[Kathleen A. Donovan]

This Termination of Deed Notice is made as of October 11, 2010 by 38 COAH Associates, LLC.

1. DEED NOTICE RECORDED IN THE OFFICE OF THE REGISTER OF  
BERGEN COUNTY, AT BOOK 8540, PAGES 474-486. By way of  
a Declaration of Environmental Restriction (DER) or Deed Notice (hereinafter collectively Deed Notice)  
dated January 14, 2003, by North River Mews Associates, LLC advised of: (a) the existence of  
contamination in the building walls at the real property situated in the Borough of Edgewater and  
designated as Block 74, Lot 1.02 ("the Property") on the Tax Map of the Borough of Edgewater in  
concentrations that do not allow for the unrestricted use of the Property; (b) the existence of institutional  
and/or engineering controls selected as part of the remedial action for the Property; and (c) the continuing  
obligation of North River Mews Associates, LLC, subsequent owners, and others to monitor and maintain  
those institutional and/or engineering controls. The Deed Notice was part of the remediation of  
contamination at the Property and was recorded in the Office of the Register of Bergen County on January  
14, 2003 in Deed Book 8540, Pages 474 through 486, by North River Mews Associates, LLC, the then  
owner of the Property. Pursuant to Paragraph 3, the Deed Notice was to remain in effect until such time as  
deemed necessary by executing a document expressly terminating the Deed Notice.

2. TRANSFER OF THE PROPERTY. By Deed dated May 22, 2006 and recorded in the Office of  
the Register of Bergen County on May 24, 2006 in Book 9085, Page 121, North River Mews Associates,  
LLC transferred ownership of Block 74, Lot 1.02 subject to the Deed Notice to 38 COAH Associates,  
LLC, the current property owner.

LLC transferred ownership of Block 74, Lot 1.02 subject to the Deed Notice to 38 COAH Associates, LLC, the current property owner.

3. EFFECTIVE DATE OF TERMINATION OF DEED NOTICE. This Termination of Deed Notice shall take effect on the date this Termination of Deed Notice is recorded in the Office of the Register of Bergen County. A metes and bounds description and scaled site map showing the boundaries of Block 72, Lot 1.02 are attached hereto as Exhibits A and B, respectively.

4. SIGNATURES IN WITNESS WHEREOF, *[name of person/corporation etc. executing the Termination of Deed Notice]* as of the date first written above.

WITNESS:

38 COAH ASSOCIATES, LLC

*[Signature]*  
[Signature]

By: *[Signature]*  
[Signature]

*Laura Sharp, Executive*  
[Print name and title of witness]

*Fred A. Daibes, Managing Member*

STATE OF NEW JERSEY  
COUNTY OF BERGEN

SS.:

I certify that on *October 11, 2010*, Fred A. Daibes personally came before me, and this person acknowledged under oath, to my satisfaction, that:

(a) This person is the Managing Member of 38 COAH Associates, LLC;

(b) This person is the attesting witness to the signing of this document by the proper officer who is the \_\_\_\_\_ *[insert title of person signing on behalf of limited liability company]* of the *[insert name of owner limited liability company]*;

(c) This document was signed and delivered by the limited liability company as its voluntary act and was duly authorized;

(d) This person knows the proper seal of the limited liability company which was affixed to this document; and

(e) This person signed this proof to attest to the truth of these facts.

Laura Sharkey  
[Signature]

LAURA SHARKEY Exec Asst.  
[Print Name and Title of Attesting Witness]

Dara L Saputo, Notary Public  
[Signature]

Dara L Saputo  
[Print Name]

DARA L. SAPUTO  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Nov. 17, 2014

RECORD AND RETURN TO:

Breck Don  
Daibes Enterprises  
1000 Portside Drive  
Edgewater, N.J. 07020

**EXHIBIT A**  
**Metes and Bounds Description**

**EXHIBIT B**  
**Scaled Tax Map of the Property and Institutional/Engineering Control Boundaries**

**EXHIBIT A**  
**Metes and Bounds Description**



DESCRIPTION  
PROPOSED LOT 1.02 IN BLOCK 74  
BOROUGH OF EDGEWATER  
BERGEN COUNTY NEW JERSEY

BEGINNING at a point marked with a cross cut in concrete sidewalk set at the intersection of the northwesterly line of River Road (33.00 feet wide), and the northeasterly line of Vreeland Terrace (25.00 feet wide), and running thence;

1. Along the northeasterly line of Vreeland Terrace, N 53° 30' 09" W, 375.44 feet to a point, thence;
2. Along the northwesterly face of the existing old brick building, N 35° 08' 31" E, 157.38 feet to a point, thence;
3. Continuing along the northeasterly face of the same building, S 53° 38' 09" E, 380.79 feet to a point in the northwesterly line of River Road, thence;
4. Along the said line of River Road, S 37° 05' 21" W, 157.36 feet to the point of BEGINNING of this description.

Containing 59,494 square feet or 1.3658 acres.

BOSWELL ENGINEERING

ANDRUA BATISTIC  
Professional Land Surveyor  
New Jersey Lic. No. 35822

# BERTIN ENGINEERING ASSOCIATES, INC.

Engineering · Surveying · Landscape Architecture · Planning

66 Glen Avenue  
P.O. Box 307  
Glen Rock, NJ 07452-0307  
Tel: (201) 670-6688  
Fax: (201) 670-9788



Civil & Traffic Engineering  
Structural Engineering  
Mechanical Engineering  
Environmental Engineering

September 6, 2006

## LEGAL DESCRIPTION

**PROPOSED EAST LOT  
PART OF LOT 1.02 IN BLOCK 74  
BOROUGH OF EDGEWATER  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**BEGINNING** at the point of intersection of the westerly line of River Road, being 80 feet wide, and the northerly line of Vreeland Terrace, being 25 feet wide, said point being marked by a set iron rod and identification cap, and running thence;

1. Along said northerly line of Vreeland Terrace, North 53°38'09" West a distance of 273.44 feet to a new line; thence
2. Along said new line, North 36°21'15" East a distance of 157.34 feet; thence
3. South 53°38'09" East a distance of 275.43 feet to a point on said westerly line of River Road, said point being marked by a found cross cut; thence
4. Along said westerly line of River Road, South 37°05'21" West a distance of 157.36 feet to the point and place of **BEGINNING**.

Containing 43, 181.1 square feet/0.991 acres.

Being in accordance with a certain map entitled "Minor Subdivision of 660 River Road, Lot 1.02 in Block 74, Borough of Edgewater, County of Bergen, N.J.," prepared by Bertin Engineering Associates, dated May 12, 2006. BEA # V185C, SV-2.

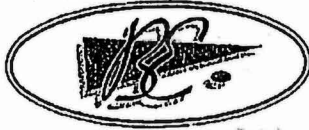
The aforesaid description is subject to zoning ordinances, easements/restrictions of record and such facts as an accurate title search may reveal.

Miloslav Rehak  
NJ Professional Land Surveyor  
No. 43233

**BERTIN ENGINEERING ASSOCIATES, INC.**

Engineering · Surveying · Landscape Architecture · Planning

66 Glen Avenue  
P.O. Box 307  
Glen Rock, NJ 07452-0307  
Tel: (201) 670-6688  
Fax: (201) 670-9788



Civil & Traffic Engineering  
Structural Engineering  
Mechanical Engineering  
Environmental Engineering

September 6, 2006

**LEGAL DESCRIPTION**

**PROPOSED WEST LOT  
PART OF LOT 1.02 IN BLOCK 74  
BOROUGH OF EDGEWATER  
COUNTY OF BERGEN  
STATE OF NEW JERSEY**

**BEGINNING** at a point on the northerly line of Vreeland Terrace, being 25 feet wide, distant 87.48 feet from the intersection of northerly line of Vreeland Terrace and the easterly line of Undercliff Avenue, being 50 feet wide, said point being marked by a found cross cut and running thence;

1. North  $35^{\circ}08'31''$  East a distance of 157.38 feet to a found cross cut; thence
2. South  $53^{\circ}38'09''$  East a distance of 105.36 feet; thence
3. Along a new line South  $36^{\circ}21'51''$  West a distance of 157.34 feet to a point in said northerly line of Vreeland Terrace, being distant 273.44 feet from the intersection of said northerly line of Vreeland Terrace and the westerly line of River Road, being 80 feet wide; thence
4. Along the northerly line of Vreeland Terrace, North  $53^{\circ}38'09''$  West a distance of 102.00 feet to the point and place of **BEGINNING**.

Containing 16,313.2 square feet/0.374 acres.

Being in accordance with a certain map entitled "Minor Subdivision of 660 River Road, Lot 1.02 in Block 74, Borough of Edgewater, County of Bergen, N.J.," prepared by Bertin Engineering Associates, dated May 12, 2006, BEA # V185C, SV-2.

The aforesaid description is subject to zoning ordinances, easements/restrictions of record and such facts as an accurate title search may reveal.

Miloslav Rehak  
NJ Professional Land Surveyor  
No. 43233

**EXHIBIT B**

**Scaled Tax Map of the Property and Institutional/Engineering Control Boundaries**

[illegible][illegible]

BERGEN COUNTY, NEW JERSEY  
SCALE: 1"=50' NOV., 1959

**MACLURE & MACLURE  
CRA. & CONSULTING ENGINEERS  
CLIFFSIDE PARK, N.J.**

**SEE SHEET NO. 5**









## BOROUGH OF EDGEWATER RESOLUTION

COUNCILPERSON	YES	NO	ABSTAIN	ABSENT
HENWOOD	✓			
DORAN			✓	
MONTE	✓			
VIDAL	✓			
JORDAN	✓			
ROSE	✓			

DATE: June 18, 2012

RESOLUTION NO. 2012-192 Alt. A

INTRODUCED BY: M. Henwood

SECOND BY: R. Vidal

**Whereas**, the Borough of Edgewater has a need for construction services for certain Veterans Field Improvements; and

**Whereas**, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1*, et seq., the Borough of Edgewater did publicly solicit bids for said project under the title "Veterans Field Improvements," issued in May, 2011; and

**Whereas**, in response to said solicitation, five (5) bids were received; and

**Whereas**, the lowest base bid of \$6,956,575.88 was submitted by Waterside Construction, maintaining offices at 22 Route 5, Edgewater, New Jersey; and

**Whereas**, Waterside's price for Alternate "A" was \$112,500.00; and

**Whereas**, Waterside's combined price for the Base Bid plus Alternate "A" of \$7,069,075.88 was the lowest received; and

**Whereas**, said bid was within the funds allocated for this project; and

**Whereas**, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; and

**Whereas** Joseph Iannaconi, Jr., Chief Financial Officer, hereby certifies that funds have been appropriated and are available for this purpose as authorized by Bond Ordinance 1474-2012; and

JOSEPH IANNACONI, JR., C.F.O.

**Now, therefore, be it Resolved** by the Mayor and Council of the Borough of Edgewater, that a contract for the above-referenced project shall be awarded, consistent with the bid specifications and contractor's bid, as follows:

**Contractor**

**Amount**

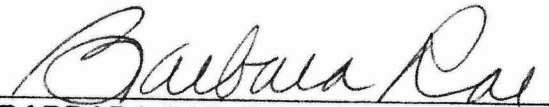
Waterside Construction  
22 Route 5  
Edgewater, New Jersey 07020

Base Bid: \$6,956,575.88  
Alternate "A" \$112,500.00  
**TOTAL \$7,069,075.88**

**Be it further Resolved** that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney; and

**Be it further Resolved** that this resolution shall take effect upon bond ordinance No. 1474-2012 taking effect in accordance with Local Bond Law 40A:2-18.

I hereby certify that the above resolution was adopted by the Mayor and Council on June 18, 2012.

  
**BARBARA RAE, RMC, CMC**  
Borough Clerk



# TERMS

Environmental Services, Inc.

599 Springfield Avenue, Berkeley Heights, NJ 07922

October 3, 2013

Gregory S. Franz  
Borough Administrator  
916 River Road  
Edgewater, NJ

RE: Contaminated Fill  
Veterans Field,  
Edgewater, NJ

Dear Mr. Franz:

Per our conversations, this letter is intended to formally notify the Borough that the site Contractor (Waterside) recently trucked crushed concrete onto the site over the weekend. It is not clear where the material was generated from.

Neither TERMS or Neglia were notified that the contractor would be working on that weekend. The material that was imported to the site was not tested prior to being brought to the site as we have continually notified the contractor was a requirement. In addition, we had previously notified the contractor that crushed concrete proposed for reuse/recycling had specific testing requirement.

As soon as we became aware of the improper importation, we collected samples of the material to determine if it contained any contaminants above applicable standards. We had verbally directed the contractor not to spread the material but while we awaiting the lab results from the initial testing, the contractor apparently spread/mixed the material with clean fill at the site.

The initial results revealed extremely elevated PCB levels (up to 97 mg/kg) along with several other compounds. Subsequent testing has revealed that the material has been spread over a much larger area that the contractor indicated. Although the majority of the area appears to be covered with plastic to avoid contact or generation of dust from the area, we are still in the process of delineating the entire area that has been impacted by the importation and subsequent spreading/mixing of this material.

As the LSRP for this site, I am requiring that all site operation be discontinued until such time that we can complete our assessment of the extent of the affected area and develop a Workplan to address the proper removal of this material.

In the interim, should you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,  
TERMS Environmental Services, Inc.

Ronald Dooney, LSRP  
President



# WATERSIDE CONSTRUCTION, LLC

October 9, 2013

Neglia Engineering Associates  
34 Park Avenue.  
P.O. Box 426.  
Lyndhurst, NJ 07071  
Attention: Michael Neglia

TERMS ENVIRONMENTAL Consulting, Inc.  
599 Springfield Avenue  
Berkeley Heights, N.J. 07922  
Attention: Ronald Dooney, LSRP

Dear Messer's: Neglia and Dooney :

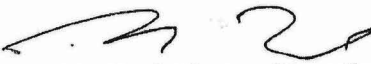
As you are aware, our legal representative delivered to the Mayor and Council, Borough Administrator and Ronald Dooney, the LSRP who has been engaged by the Borough to supervise the remediation of the 'Ball Field' correspondence dated October 7, 2013 addressing the present issue relative to the discovery of isolated and localized contaminants at the site.

We are corresponding with you at this time so as to clearly advise you that to the extent that Waterside Construction has any responsibility for inadvertently and innocently and without knowledge importing materials containing contaminants, under your and the LSRP's supervision, shall remove and properly dispose of any such material in accordance with applicable NJDEP and Federal EPA guidelines so as to ensure no risk to the public health and safety. All shall be done at our sole cost and expense and without any additional costs to the Borough and its residents.

Accordingly, we ask that you arrange for an immediate meeting so as to set forth the procedure to be followed for the removal and continuation of work on the site so as to cause no further undue delay, not only for the proper removal and disposal, but so as to enable the project to proceed and to be completed in the proper time frame for the use by Borough residents and organizations during the Spring of 2014. Again, we reiterate that all this work shall be done, inclusive of required supervision, if any, will be borne by the contractor so there is no expense to the Borough.

We look forward to your response and setting the time and date for meeting as early as possible this week.

Thank you  
Very truly yours,



Matt Vereb, Director of Operations  
Waterside Construction, LLC

cc: Mayor & Council

Gregory Franz, Borough Administrator  
(copies also delivered by email)

P.O. Box 36-22 Route 5, Edgewater, NJ 07020  
201-840-0050 phone 201-840-8812 fax







## **Pennjersey Environmental Consulting**

326 Willow Grove Road, Stewartsville, NJ 08886-3102  
(908) 329-6060 [www.pennjerseyenv.com](http://www.pennjerseyenv.com)

April 15, 2014

**RECEIVED**

APR 22 2014

United States Environmental Protection Agency  
Region 2 – Main Regional Office  
290 Broadway  
New York, New York 10007-1866

Pesticides & Toxic Substances Branch

ATTN: Ms. Judith A. Enck, Administrator

**RE: Intent to Submit a Risk-Based Cleanup and Disposal Request  
Former Power Plant – Building 12  
Former Alcoa Facility  
660 River Road  
Block 74, Lot 1.02  
Borough of Edgewater, Bergen County, New Jersey  
NJDEP Program Interest #023713**

Dear Ms. Enck,

Pennjersey Environmental Consulting (PEC) is contacting your agency on behalf of the site owner, 38 COAH Associates LLC, regarding the above referenced property located at 660 River Road in the Borough of Edgewater, Bergen County, New Jersey.

During the closure of two 20,000 gallon number four fuel oil underground storage tanks (UST) (AOC 1) encountered under the floor slab of the former ALCOA Building 12 during site redevelopment, sampling data from the UST contents and subsequent rounds of post-excavation soil sampling conducted through March 27, 2014, identified the presence of a polychlorinated biphenyl (PCB) discharge impacting soils. Additionally during site-wide surface soil sampling at 15 grid locations conducted on March 27, 2014, PCBs impacted soils (AOC 2) were identified. The total PCBs concentrations were detected at concentrations above the applicable NJDEP Soil Remediation Standards and the Toxic Substance Control Act 50 mg/kg total PCB action level.

Accordingly, the site owner desires to submit a Risk-Based Cleanup and Disposal Request pursuant to the requirements of 40 CFR 761.61(c) for USEPA review to allow for the engineering and institutional controls of the PCB impacted soils according to USEPA regulations at 40 CFR 761.61(a)(7) and (8). The site will be redeveloped into a hotel and spa above and a three level parking garage on the ground floors, i.e., a non-residential/commercial use. PCB impacted soils from the UST closure have been staged for off-site disposal according to TSCA requirements at 40 CFR 761.65.

The case is being managed under the NJ Licensed Site Remediation Professional (LSRP) program in order to comply with all applicable State of New Jersey NJDEP regulations and guidance.

Due to the aggressive construction schedule planned for the site redevelopment and the desire to complete remediation in a timely manner, we respectfully request an expedited review of the Risk-Based Cleanup and Disposal Request upon submittal, anticipated within the next four to six weeks. In addition, we would





**Pennjersey Environmental Consulting**

326 Willow Grove Road, Stewartsville, NJ 08886-3102  
(908) 329-6060 [www.pennjerseyenv.com](http://www.pennjerseyenv.com)

May 30, 2014

Ms. Judith A. Enck  
Administrator  
United States Environmental Protection Agency  
Region 2 – Main Regional Office  
290 Broadway  
New York, New York 10007-1866

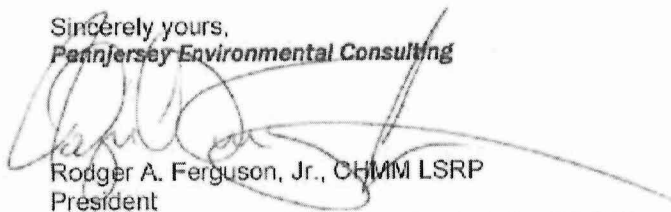
RE: Self-Implemented Disposal Plan  
Former Alcoa Building 12  
660 River Road  
Block 74, Lot 1.02B  
Borough of Edgewater, Bergen County, New Jersey  
USEPA ID NJD981559149

Dear Ms. Enck,

On behalf of the site owner, 38 COAH Associates LLC, Pennjersey Environmental Consulting is submitting the Self Implemented Disposal Plan for the former Alcoa Building 12 property located at 660 River Road in the Borough of Edgewater, Bergen County, New Jersey.

Thank you for your attention to this matter. Should you have any questions or comments, please feel free to contact me at (908) 329-6060 or [rferguson@pennjerseyenv.com](mailto:rferguson@pennjerseyenv.com).

Sincerely yours,  
**Pennjersey Environmental Consulting**



Rodger A. Ferguson, Jr., CHMM LSRP  
President  
Licensed Site Remediation Professional No. 573794

Enc.

Cc: Mr. Fred Daibes  
Mr. Berek Don  
Mr. Matthew Vereb  
38 COAH Associates, LLC

38 COAH Associates, LLC  
May 30, 2014  
Page 2

Mr. Patrick Papalia Esq.  
Mrs. Debra S. Rosen, Esq.  
Archer & Greiner, P.C.

Mr. James Hacklar  
USEPA Region 2

# **Self Implemented Disposal Plan**

For

## **Former Alcoa Building 12**

660 River Road  
Edgewater Borough, Bergen County  
Block 74 Lot 1.02B  
USEPA ID No. NJD981559149

On Behalf of:

## **38 COAH Associates, LLC**

1000 Portside Drove  
Edgewater, NJ 07020

For Submission to:

## **US Environmental Protection Agency**

Region II – Main Regional Office  
290 Broadway  
New York, New York 10007-1866

Prepared By:

## ***Pennjersey Environmental Consulting***

326 Willow Grove Road  
Stewartsville, NJ 08886-3201  
(908) 329-6060  
[www.pennjerseyenv.com](http://www.pennjerseyenv.com)

May 30, 2014

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**Pennjersey Environmental Consulting**

---

326 Willow Grove Road, Stewartville, NJ 08886-3102  
(908) 329-6060 [www.pennjerseyenv.com](http://www.pennjerseyenv.com)

May 30, 2014

Ms. Judith A. Enck  
Administrator  
United States Environmental Protection Agency  
Region 2 – Main Regional Office  
290 Broadway  
New York, New York 10007-1866

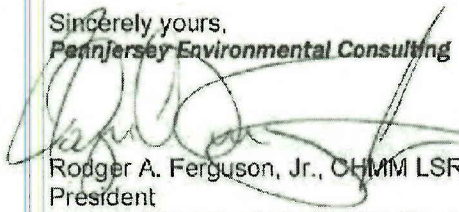
RE: Self-Implemented Disposal Plan  
Former Alcoa Building 12  
660 River Road  
Block 74, Lot 1.02B  
Borough of Edgewater, Bergen County, New Jersey  
USEPA ID NJD981559149

Dear Ms. Enck,

On behalf of the site owner, 38 COAH Associates LLC, Pennjersey Environmental Consulting is submitting the Self Implemented Disposal Plan for the former Alcoa Building 12 property located at 660 River Road in the Borough of Edgewater, Bergen County, New Jersey.

Thank you for your attention to this matter. Should you have any questions or comments, please feel free to contact me at (908) 329-6060 or [rferguson@pennjerseyenv.com](mailto:rferguson@pennjerseyenv.com).

Sincerely yours,  
**Pennjersey Environmental Consulting**



Rodger A. Ferguson, Jr., CHMM LSRP  
President  
Licensed Site Remediation Professional No. 573794

Enc.

Cc: Mr. Fred Daibes  
Mr. Berek Don  
Mr. Matthew Vereb  
38 COAH Associates, LLC

38 COAH Associates, LLC  
May 30, 2014  
Page 2

Mr. Patrick Papalia Esq.  
Mrs. Debra S. Rosen, Esq.  
Archer & Greiner, P.C.


Mr. James Hacklar  
USEPA Region 2

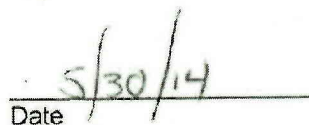
## SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Environmental professionals from Pennjersey Environmental Consulting (PEC) completed this Self Implemented Disposal Plan for the former American Aluminum Corporation of America (Alcoa) Building 12 facility located at 660 River Road, Edgewater Borough, Bergen County, New Jersey.

By signing this Report, we certify that this report followed PEC internal procedures for quality control and was prepared with good practices in accordance with the United States Environmental Protection Agency (USEPA) regulations at 40 CFR 761.61.


Prepared by:

  
Rodger A. Ferguson, Jr., CHMM/LSRP  
President  
Licensed Site Remediation Professional 573794

  
Date

## PLAN VERIFICATION

Pursuant to 40 CFR 761.61(a)(3)(i)(E), I hereby certify that all sampling plans, sample collection procedures, sample preparation procedures, extraction procedures and instrumental/chemical analysis procedures used to assess or characterize the PCB contamination and/or presence there of related to the investigation and cleanup activities specified herein will be maintained in the following location and accessible for inspection by the USEPA.

  
\_\_\_\_\_  
Property Owner's Representative Signature

6-2-14  
\_\_\_\_\_  
Date

FRED A. DAIBES  
\_\_\_\_\_  
Property Owner's Representative Printed Name

MANAGING MEMBER  
\_\_\_\_\_  
Property Owner's Representative Title

### Property Owner Address

38 COAH Associates, LLC  
Attn: Mr. Matthew Vereb  
1000 Portside Drive  
Edgewater, NJ 07020



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## FIGURES

Figure 1	USGS 7.5' Topographic Map
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Figure 3	Site Plan
Figure 4	UST Sampling Plan
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Figure 6	February Excavation Plan
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Figure 8	March Excavation Sampling Plan
Figure 9	March Concrete Sampling Plan

## 1.0 EXECUTIVE SUMMARY

This self-implemented disposal plan has been prepared on behalf of 38 COAH Associates, LLC, the current owner of the former Alcoa Building 12 in Edgewater Borough, Bergen County. The purpose of this submission is to accomplish the following:

- 1) Inform USEPA of the activities that have occurred to date regarding two previously unknown 20,000-gallon number four fuel oil underground storage tanks (USTs) contaminated with 842 milligrams per kilogram (mg/kg) polychlorinated biphenyl (PCBs) and submit the thirty-day notice with respect to the pending disposal activities.
- 2) Request approval from USEPA for the use of off-site disposal of the bulk PCB remediation waste from the UST investigation and remediation for soil  $\geq 50$  mg/kg total PCBs to a RCRA Subtitle C Section 3004 landfill as afforded by 40 CFR 761.61(a)(5)(i)(B)(2)(iii) and 761.61(a)(5)(v)(A)(3). This approval would also extent to bulk PCB remediation waste that may be generated should site conditions warrant during redevelopment of the site in the future.
- 3) Request approval from USEPA for the use of other off-site disposal facilities for soil and recycled concrete  $< 50$  mg/kg total PCBs at other approved solid waste facilities, e.g. a municipal solid waste landfill or other approved beneficial reuse site as afforded by 40 CFR 761.61(a)(5)(v)(A)(1) and (2).
- 4) Inform USEPA of the proposed risk based remedial action to be documented in a Remedial Investigation / Risk Assessment / Remedial Action Workplan as provided by 40 CFR 761.61(c). This document is currently being prepared and will be submitted to USEPA upon completion. The Remedial Action Workplan will include the use of a geotextile fabric and six inches of crushed stone already installed as an Interim Remedial Measure (IRM) and an additional six inches of reinforced concrete floor and a deed notice (as required by 40 CGR 761.61(a)(7) and (8)). The proposed building will be utilized as a commercial structure, a day spa, where the first three floors, with the exception of a small lobby area along River Road, are the designated for parking of automobiles.



## **2.0 PHYSICAL SETTING**

### **2.1 Location and Site Characteristics**

The subject site is located in the Borough of Edgewater, in what was formerly an industrial area that is being redeveloped for commercial use. The 2007 land use is shown by NJDEP GeoWeb<sup>1</sup> as Commercial/Services. The property is described as Borough of Edgewater Block 74 Lot 1.02B, as shown on the ALTA survey. The site is identified by USEPA by the hazardous waste generator ID number NJD981559149 and by New Jersey Department of Environmental Protection (NJDEP) by Program Interest Nos. 023713 and 620276.

The former Building 12 occupied the subject property and was a three-story building located to the south of the Edgewater Cemetery. This building was constructed utilizing a two-way system of flat slab construction supported on mushroom columns with dropped panels, similar to the construction of the other buildings on the larger former Alcoa site. The slabs consisted of reinforced concrete, typically twelve inches in thickness. Structural bays, as defined by the columns, measured 19 feet by 16 feet. The building has been demolished and the site is now being redeveloped as a spa.

The site is bounded by:

- North: Edgewater Cemetery;
- East: River Road and Marketplace Shopping Center / Hess Oil Terminal;
- South: Vreeland Terrace and the Hess Oil Terminal; and
- West: Vreeland Terrace Residential Community.

## **2.2 Physical Setting**

### **2.2.1 Topography / Hydrology**

The former Alcoa site is located within the Hudson River Valley. The Hudson River is located approximately 600 feet to the east. Less than 1,000 feet to the west, the Palisades Sill forms a steep cliff that towers over the site. The site is located at an upper elevation of approximately 32 feet mean sea level (MSL). The topography of the site slopes to the east-southeast to approximately 10 feet MSL. The elevation rises sharply to the west. No wetlands or floodplains are located on the site.

### **2.2.2 Geology**

The surficial geology of the site is listed on the NJ Geological Survey map (OFM 13) as the Rahway Till Yellow Phase (Qty) derived from the diabase and weathered diabase of the Palisades ridge and includes fine sediments ranging from reddish-yellow sandy silt to clayey silt and diabase clasts. The Rahway Till is underlain by The Stockton Formation (Trs) as identified by the US Geological Survey (USGS I-2306). The Stockton formation is predominantly light to medium gray and light yellowish gray to pale-reddish-brown

<sup>1</sup> NJDEP, GeoWeb, <http://www.nj.gov/dep/gis/geoweb/splash.htm>.

thin to thick-bedded fine to coarse sandstone. Purpleish siltstone occurs near the middle and top. Local basal conglomerate of this unit rests unconformably on Late Protoerzoic and Paleozoic rock.

A geotechnical investigation by Hawke Geotechnical, LLC (Hawke), dated September 5, 2013, on behalf of the developer (The Heaven, LLC), consisting of 10 exploratory borings, reported that the diabase bedrock was not encountered during their geotechnical investigation. Purple to reddish brown shale fragments indicative of weathered bedrock were encountered below the unconsolidated soils. The fractured bedrock of the underlying Stockton formation sandstone was encountered by auger refusal at varying depths (10 and 12 feet in borings B-11 and B-12, respectively) depending on the location. Hawke conducted rock coring ten feet into the competent bedrock at two locations.

### **2.2.3 Hydrogeology**

Surface water drainage at the subject property is regionally anticipated to move towards the Hudson River. However, as is typical in urban areas, surface water flow is controlled by the local municipal storm sewer system. A geotechnical study conducted on the site in December 2009 by JZN Engineering did not encounter groundwater at the maximum depth explored of 20.8 feet bgs. The additional geotechnical investigation conducted by Hawke in August 2012, and did not report encountering groundwater in the overburden of bedrock borings installed to a depth of 22 feet bgs.

Based upon our review of the site conditions, topography and the presence of a nearby surface water body, it is inferred that the local groundwater flow direction is directed an east-southeasterly direction towards the Hudson River situated 600 feet to the east-southeast of the Site. However, due to local variations in groundwater flow resulting from various natural and man-made factors, inferred groundwater flow at the site and adjacent sites may vary.

### **2.2.4 Soils**

The site soils are characterized as Urban Land (SSURGO). The Hawke geotechnical borings reported encountering brown fine to coarse sands at variable depths until auger refusal. Urban Land is characterized by "Surface covered by pavement, concrete, buildings, and other structures underlain by disturbed and natural soil material."

### **2.2.5 Historic Fill Material**

The NJDEP historic fill map of the Central Park quadrangle was reviewed. Historic fill is found associated with the Hudson River shoreline, including the area east of River Road. Historic fill has not been identified on the site.

Although the site does not appear to be underlain by State of NJ mapped historic fill, the presence of mapped Urban Land soils underlying the site could be indicative of the presence of historic fill.

#### **2.2.6 Ecological Resources**

NJDEP's Project Landscape data was reviewed on NJDEP GeoWeb. The site is located within the Piedmont Plains Landscape Region. No wetlands are located on the site. NJDEP's Project Landscape data was reviewed on NJDEP GeoWeb. The site as well as the surrounding region is part of the Piedmont Plains Landscape Region. No Landscape Project areas of threatened or endangered species were observed to be located on site.



### 3.0 SITE INVESTIGATION / REMEDIAL INVESTIGATION / REMEDIAL ACTION

#### 3.1 Site History

The site was originally owned and occupied by Alcoa, a manufacturer of aluminum products from 1917 to 1968. It has been reported that the site was originally developed 1938 as part of the larger Alcoa facility that stretched from Russell Avenue south to Vreeland Terrace and from Undercliff Avenue east to River Road. Alcoa developed the larger overall site with a series of buildings that housed various functions, including office space, receiving and shipping, manufacturing, machine shops, inspection, and packing. During its operation of the site, Alcoa manufactured aluminum products and developed fabrication techniques. A number of pioneering inventions were developed at the facility. These inventions included the collapsible toothpaste tube, the 17S-alloy rod, and sheet metal for World War II aircraft. From 1917 until 1965, Alcoa manufactured aluminum products on the adjacent parcels to the north and, after 1938, on the site. The building located on Block 74 Lot 1.02B was known as Building 12 and reportedly was used for ingot milling, in conjunction with Building 11, which was used as the continuous rolling mill.

In the early 1970's, the former main manufacturing building was leased to Tallway Warehouses, Inc. for dry goods (e.g., sneakers, toys, etc.) storage. The company ceased their warehouse operations between 1977 and 1978. Tri-Terminal also operated a dry goods warehouse on the site until 1974. Metro-Modular, a fabricator of concrete plank flooring, leased Building 12 from 1971 until 1975. By 1978, all tenant operations had ceased and the site was vacant.

The site has been inactive since 1978. The most recent industrial or commercial activities are described below. Recent activities on the site include the demolition of all-existing structures, concrete crushing, and site grading. The site ownership and operations have been as follows:

Owner	Dates
The Vreeland Family	1600's to 1914
Alcoa	1914 to 1968
Edith and Irving Maidman	1968 to 1974
700 River Road Corporation	1978 to 1978
Edgewater Associates	1978 to 1980
700 River Road Corporation	1980 to 1983
American Landmark Properties	1983 to 1997
North River Mews Associates, LLC	1997 to 2006
38 COAH Associates, LLC	2006 to Present

Operator	Dates
Alcoa	1914-1965
Metro-Modular	1971 to 1975
Tri-Terminal Corporation	1974 to 1977-78
Tallway Warehouses	Early 1970s to 1978
Vacant	1978 to Present

The site is being redeveloped as a spa by The Heaven, LLC, whom is leasing the property from the

owner, 38 COAH Associates, LLC. The construction of a building for that purpose has commenced.

### 3.2 Overall Nature of On-Site Contamination

Prior environmental investigations, including but not limited to the below, were performed on behalf of Alcoa and North River Mews Associates, LLC.

- *Preliminary Report*, Paulus, Sartor & Sokolowski (PS&S), December 1986
- *Sampling and Analysis Program Report*, PS&S, December 1986
- *RUFS Report*, Woodward-Clyde Consultants, November 1988
- *IRA Final Report*, Metcalf & Eddy, Inc., September 1993
- *Remedial Action Workplan*, Enviro-Sciences of DE, Inc (ESI), September 1997
- *Remedial Action Report*, ESI, February 1999
- *Remedial Investigation Report/Remedial Action Report*, ESI, October 1999
- *Remedial Action Report*, ESI, August 2002.
- *Response Action Outcome*, ESI, October 27, 2010 Amended February 24, 2014.

During Alcoa's tenancy, portions of the buildings were contaminated with PCBs. The suspected sources of the PCBs were various fluids used on-site (i.e., lubricants, heat transfer fluids, and coolants) and on-site transformers and capacitors. Alcoa is reported to have made use of fire-resistant hydraulic fluids containing PCBs. These hydraulic fluids, including Pydraul manufactured by Monsanto, were used in at least fourteen of the one hundred and twenty hydraulic systems that operated in the plant, including Building 12.<sup>2</sup> While not all Pydraul formulations used PCBs,<sup>3</sup> the use of Aroclor-1242 in hydraulic fluids for high temperature applications, including rolling mills, has been documented.<sup>4</sup> The total amount of PCBs used for hydraulic oils between 1930 and 1975 was nearly 80 million pounds.

### 3.3 Prior Environmental Investigations

In 1997, the Alcoa buildings were scheduled to be demolished and testing was conducted of the building materials to evaluate if they could be used as clean fill. Contamination with PCBs was identified in concrete walls and floors of the buildings. The Alcoa facility then became the subject of a New Jersey Department of Environmental Protection (NJDEP) investigation under Case No. 97-6-10-0037-28.

The entire Alcoa facility was subject to cleanup oversight by NJDEP Northern Bureau of Field Operations under a Memorandum of Agreement (MOA), dated June 10, 1997. All the former buildings (except for Building 12) were demolished circa 1998 in compliance with the NJDEP approved remediation documents. Building 12 was subdivided from the main Alcoa property on February 26, 1999, and re-

<sup>2</sup> *Amland Properties Corp. v. Aluminum Co. Of America*, CIV. A. NO. 86-1830, April 18, 1989.

[http://www.leagle.com/decision/19891495711fsupp784\\_11362.xml/amland%20properties%20corp.%20v.%20aluminum%20co.%20of%20america](http://www.leagle.com/decision/19891495711fsupp784_11362.xml/amland%20properties%20corp.%20v.%20aluminum%20co.%20of%20america)

<sup>3</sup> USEPA, *Polychlorinated Biphenyl Inspection Manual*, EPA-305-X-04-002, August 2004.

<sup>4</sup> Personal communication, Dr. James Smith.

designated as Block 74, Lot 1.02 (1.37 acres). The footprint of Building 12 covered the entire lot. The Building 12 site was bifurcated from the larger Alcoa case and handled under separate NJDEP review. The MOA case for the former Alcoa facility (except for Building 12) was issued an Unrestricted Use No Further Action Letter and Covenant Not to Sue by NJDEP on March 9, 1999. A housing development was constructed on the adjacent Alcoa property, located to the northwest and north of the subject property.

The remedial action for demolition of the Building 12 structure included the removal of concrete flooring containing polychlorinated biphenyls (PCB) in excess of 0.49 ppm, and the establishment of a Deed Notice for the building, which was prepared and recorded in Bergen County Clerk's office on January 14, 2003. The Deed Notice addressed PCB concentrations remaining in the brick walls of the building in excess of the NJDEP Residential Direct Contact Soil Cleanup Criteria (RDC SCC) in effect at the time. In the absence of cleanup standards for building interiors, NJDEP used the RDC SCC as the cleanup criteria of 0.49 ppm to establish a Deed Notice for the remaining PCB concentrations in the building walls. As part of the historic site investigation for the entire Alcoa facility, soil samples had been collected from beneath Building 12 and analyzed for PCBs. The results were reported as none detected for PCBs, and were reported in the Remedial Action Report submitted to NJDEP by ESI for the entire Alcoa facility on February 18, 1999. Additional sampling data for Building 12 was submitted by ESI to NJDEP on October 28, 2002.

On November 20, 2002, the NJDEP approved closure of the case by approving the Deed Notice for Building 12. NJDEP issued a Restricted Use No Further Action Letter and Covenant Not to Sue for Building 12 on February 12, 2003. Block 74, Lot 1.02 (Building 12), was approved for subdivision by the Borough of Edgewater on October 19, 2009. The property was subdivided into the site (Lot 1.02B) and adjacent property (1.02A). While conducting structural related tests for development of the site, certain areas of the exterior walls on the West Lot became unstable and fell. The property owners informed NJDEP, Bureau of Maintenance and Monitoring, by letter, dated April 28, 2010, that the material was collected and stored on a tarp inside Building 12. The former walls containing PCBs (stored on a tarp inside Building 12) were sampled in April 2011 and were reported to have been disposed of off-site. The East Lot (the remainder of Building 12) was razed in 2013 and is currently under development as spa.

The former LSRP of record, Mr. John Gear, of ESI, reported in 2010 that NJDEP regulations specifically exclude the investigation/remediation of building interiors unless its effects the exterior environment, or if contamination on the exterior of the building effects the interior of the building. This was not the case with Building 12, as soil samples collected from beneath the concrete floor did not contain any measurable levels of PCBs. This documentation was submitted and accepted by NJDEP as part of the historic investigation/remediation of the property. NJDEP regulations currently allow for the establishment of a Deed Notice for soil contamination in excess of NJDEP Soil Remediation Standards. Although the NJDEP had used its authority in the past to place Deed Notice restrictions on building interiors, this is no longer the case at NJDEP. In addition, a LSRP does not have the regulatory authority to establish a Deed Notice

on a building interior. Therefore, following consultation with various NJDEP Site Remediation Program representatives for guidance including Ms. Kirstin Hahn, Manager of Bureau of Case Assignment and Initial Notice, Mr. Barry Frasco, Manager of Hazardous Site Science and Mr. Wayne Howitz, Manager of Remedial Management and Operations, all NJDEP representatives concurred that the Deed Notice should be terminated. A letter was sent to NJDEP, dated August 30, 2010, with a copy of the Draft Termination of Deed Notice for Building 12. NJDEP responded in a September 17, 2010 letter to Daibes Brothers, Inc. approving the document with instructions to file the Termination of Deed Notice with Bergen County Clerk. In addition, NJDEP indicated that a Response Action Outcome (RAO) that included the "Building Interiors Not Addressed" insert for the building should be filed by an LSRP. The Termination of Deed Notice was filed with the Bergen County Clerk, which was recorded on October 19, 2010. The LSRP of record for this case issued the RAO for Former Alcoa Building 12 on October 27, 2010. Upon the discovery of the oil and PCB contamination related to the two 20,000-gallon USTs discussed below, NJDEP requested that the RAO be amended. The amendment changed the scope of the RAO from "entire site" to area of concern for the administrative termination of the deed notice only, was filed on February 24, 2014.

### **3.4 Areas of Concern**

#### **3.4.1 Planning Documents**

The soils samples were collected by PEC under a Remedial Investigation Workplan / Quality Assurance Project plan prepared in accordance with NJDEP's guidance documents. A site-specific health and safety plan has been implemented for PEC's staff and a separate plan has been developed and implemented for the construction workers. A copy of these documents can be provided electronically upon request.

All soil sampling data has been, or is in the process of being, validated by de Maxis Data Management Solutions (ddms) of Clinton, NJ. Data tables included herein have been clearly marked to indicate whether the data validation reports have been received and incorporated. Copies of their reports along with the full laboratory deliverables package will be included in the RI/RA/RAW to be submitted under separate cover.

#### **3.4.2 AOC-1: Two 20,000-gallon Number Four Fuel Oil USTs**

##### **3.4.2.1 October 2013 UST Closure**

In October 2013, construction began on the Lot 1.02B. During demolition of the remainder of Building 12, two 20,000 gallon USTs were encountered in a subterranean concrete vault. The USTs were measured to be 10 feet in diameter and 34 feet long, which are consistent with a 20,000-gallon tank. The USTs contained No. 4 fuel oil contaminated with 842 mg/kg Aroclor-1242, and impacts from oil and PCBs were detected in the soil in the vicinity of these USTs... The USTs were not previously registered with NJDEP, but were subsequently registered by PEC. The USTs were not described in previous reports or shown on the Sanborn maps, and their use is presumed to have been fuel for industrial boilers in Building 12. The



source of the PCBs in the No. 4 fuel oil in the USTs, however, remains unknown at this time.

Environmental Waste Minimization, Inc. (EWMI) of Northampton, PA was contracted by the Owner to conduct the tank cleaning activities. Upon mobilization to the site on October 28, 2014, EWMI ventilated the USTs, and once the tanks were ventilated, access holes were cut into the eastern end of each tank to gain access.

UST-1 was found to contain approximately six inches of oil/sludge, and UST-2 contained approximately eleven inches of oil/sludge. In an attempt to reduce the viscosity of the oil for cleaning/removal, approximately 100 gallons of diesel fuel was added into UST-1 and 200 gallons of diesel fuel was added into UST-2. Once the diesel fuel was added to the USTs, EWMI mixed the diesel fuel with the oil sludges to reduce the viscosity of the oil and allowing for easier cleaning/removal. The site was secured for the day as the oil and diesel fuel were allowed to sit overnight until the cleaning activities commenced the following day.

PEC and EWMI returned to the site on October 29, 2013 to continue the UST cleaning. EWMI began using a power washer to clean UST-1. The cleaning of the USTs continued throughout the day, as the oil was very slow to move and was difficult to clean off the sides of the tank. The cleaning of UST-2 commenced with pressure washing being conducted at the same time as the vacuuming of UST-1.

EWMI and the vacuum truck moved to the Waterside Construction, LLC yard on November 1, 2013 to vacuum out the containers containing PCB contaminated oil that had been inadvertently removed from the site. The remaining sludge and other liquids were removed from the USTs and placed into drums for transportation and disposal rather than bulk tanker truck because of the high viscosity of the liquid.

PEC and EWMI were on-site on November 7, 2013 to oversee the disposal of the drums generated during the UST cleaning activities. The USTs were being cut-up and disposed of off-site as scrap. The 118 drums were transported by EWMI for disposal. There was approximately 1,730 gallons of PCB contaminated oil removed from the two locations during the work. The disposition of the waste material and issues associated with the manifests is discussed in Section 3.4.1.4, below.

#### **3.4.2.2 November 2013 Soil Excavation**

PEC returned to the Site on November 11, 2013 to oversee the excavation of the petroleum and PCB impacted soils around the UST locations. The excavations began in the area of UST-2 and the objective was to remove any areas where gross contamination was evident. During the course of the excavation, four pipes were discovered at the western edge of the site, which appeared to be the product/supply lines for the USTs. The excavated soils were placed onto poly sheeting for temporary storage prior to characterization and disposal.

During the remediation activities, PEC personnel recorded dust readings using a dust meter (MIE pDR-

100 DataRam), along with a photoionization detector (PID, MiniRAE 3000) which monitored the air for any elevated readings. A series of monitoring locations were established around the site and air readings were collected every hour. PEC utilized a PID and dust meter to monitor the air readings anytime that site excavation activities were taking place. No significantly elevated field screening readings above background concentrations were observed.

The excavation activities continued and a massive former concrete foundation structure was encountered approximately 4 feet below ground surface (bgs) and was found to have oil on top of the structure. Areas found to exhibit gross contamination were excavated until no signs of contamination were present. The soil excavation activities began to undercut the western sidewall of the excavation and soils were placed against the sidewall to shore up the area. Soil samples PE-001 and -002 were collected from the western-most sidewall of the excavation at a depth of 10.0 - 10.5 feet bgs. These samples were submitted to TestAmerica (Edison, NJ and Buffalo, NY) for analysis for PCBs, Extractable Petroleum Hydrocarbons (EPH) and contingent volatile organics (VO+10), base/neutral organics (BN+15) and Target Analyte Metals (TAL) Metals on the samples exhibiting the highest 25% of the detected EPH results.

PEC returned to the Site on November 12 to continue the excavation of the contamination noted along the concrete foundation structure. The contaminated soils were again placed onto poly sheeting to prevent cross-contamination. The excavation was extended north along the concrete foundation structure until there were no further signs of gross free product contamination. A total of 18 post-excavation soil samples were collected from the area ranging in depths from 13.5 - 20.0 feet. The soils samples were submitted to TestAmerica for analysis for PCBs, EPH, and contingent VO+10, BN+15 and TAL Metals.

PEC returned to the Site on December 11 and December 12, 2013 to conduct additional soil excavation and sampling. The excavation was expanded based upon the previously collected post-excavation sample results. On December 12, 2013, 18 additional post-excavation soil samples (PE-021 through -38) and three stockpile disposal samples (USTComp/Grab-001 through -003) were collected. The post-excavation samples were collected from newly excavated areas at depths ranging from 17.5 - 20.0 feet bgs. The newly excavated areas were locations of exceedances noted during the previous round of soil sampling in November 2013. The post-excavation soil samples were analyzed for PCBs, EPH, and contingent VO+10, BN+15 and TAL Metals.

After the sample results were received from TestAmerica, the lab results and associated data were sent to ddms for data validation. All of the samples were found to be outside of acceptable quality control standards; therefore, the data was unusable. The sample results were all rejected based upon ddms' findings. Accordingly, this data cannot be relied upon and has not been included in this report.

#### **3.4.2.3 February 2014 Soil Excavation**

PEC was again on-site between February 24 and February 26, 2014 to conduct further soil excavation

and collect additional post-excavation soil samples. A large portion of the previous UST excavation had been backfilled by the construction contractor to facilitate construction of a retaining wall along the western property line to stabilize a steep site side slope. These materials needed to be re-excavated and placed onto the contaminated soil pile.

A geophysical investigation was conducted on the four pipes that were encountered during site work and were thought to be the UST product lines. Hager-Richter Geoscience, Inc. of Fords, NJ, was retained by PEC to conduct the EM/GPR Survey, to attempt to trace the lines. On February 24, 2014, H-R conducted the geophysical survey and determined that the two sets of product supply/return lines ran onto the adjacent residential property. Further investigation of the piping was deferred pending completion of the on-site activities, including the stabilization of steep slopes and construction of the western property line retaining wall by the redeveloper.

The main UST excavation was again expanded in an attempt to remove as much of the contaminated soil as possible. The southern edge of the excavation was Vreeland Terrace with the western edge being the newly installed concrete retaining wall, the northern edge was extended another ten feet from the previous extent, and the eastern edge was the a subsurface concrete foundation structure associated with the former Building 12. The secondary excavation on the eastern side of the concrete structure was also expanded.

The soil stockpiles were initially placed along the southern portion of the site along Vreeland Terrace and were staged on top of poly sheeting pending characterization and disposal. As soon as the excavations were completed, both the excavations began filling with water from a broken drain line. The eastern excavation had a petroleum-like sheen on the surface of the water that collected and oil-absorbent pads were placed onto the water surface in an attempt to collect as much product as possible. After the drain line was repaired, and the excavation dried, the oil adsorbent pads were placed into the soil stockpile.

The subsurface concrete foundation structure that exhibited petroleum staining in three areas was scarified to remove the contaminated concrete surfaces. The contaminated concrete debris was placed onto poly sheeting and covered with poly sheeting for disposal. On February 25, 2014, PEC personnel collected samples from the previously scarified concrete surface(s) to determine if additional concrete removal was necessary. Three concrete samples were collected and analyzed by Accutest Laboratories, Inc. (Dayton, NJ and Marlborough, MA), a NJDEP-certified laboratory, for PCBs.

A total of 20 post-excavation soil samples (PE-040 through -59) were collected from the main and eastern soil excavation and analyzed by Accutest for EPH, PCBs and contingent VO+10, BN+15 and TAL Metals. The soil samples were collected from depths of 15.5 to 20.0 feet below grade. Full quality assurance/quality control (QA/QC) samples, including duplicate, site specific matrix spikes, field, and trip blanks were collected for each sample matrix consistent with the QAPP during all sampling events.

On February 26, 2014, PEC personnel collected samples from beneath the product supply/return piping identified during previous Site work and as traced by Hager-Richter. Two soil samples were collected from the 6-inch depth interval directly below the visible piping protruding from the western sidewall of the UST excavation along the property line and analyzed for EPH, PCBs and contingent VO+10, BN+15 and TAL Metals by Accutest.

#### **3.4.2.4 March 2014 Soil Excavation & Concrete Foundation Remediation**

PEC returned to the Site on March 18, 2018 to continue excavation of the contaminated site soils. Work began with the secondary excavation on the eastern side of the subsurface concrete structure. The eastern sidewall of this excavation was completely removed as there was less than five feet of material left in this location.

Because of space constraints, and to facilitate the continued construction of the redevelopment footings, the contaminated soil stockpile was relocated. The new stockpile location in the northeastern corner of the property was lined and covered with six mil polyethylene sheeting. This stockpile consists of approximately 1,500 cubic yards of PCBs impacted soils and concrete debris.

The excavation was extended approximately five feet towards the north and the depth was advanced until bedrock was encountered at approximately 20 to 21 feet bgs. The north side of the main excavation was extended five feet to the north, in an attempt to remove the soils that continued to exceed the NJDEP SRS. The excavation was advanced until excavator refusal was encountered at the depth of bedrock at the bottom of the excavation.

In the process of remediating the main excavation, additional petroleum-like staining was noticed on the concrete foundation wall. Upon further investigation, a thin band of free petroleum product was noted in areas underneath the subsurface concrete structure. The petroleum-like material was absorbed using absorbent pads, which were placed into the soil stockpile for disposal.

PEC returned to the site between March 25 and March 27, 2014 to continue with impacted soil excavation activities. During previous site work on March 18, 2014, it was observed that additional staining was present underneath and within the concrete foundation structure. In an attempt to remove the contamination, a concrete hammer was utilized to scarify any areas of the concrete where the staining was present. Poly sheeting was placed under any location where the concrete was contaminated to prevent cross contamination of the soils beneath the concrete.

There were two distinct areas on the eastern side of the concrete foundation structure that were excavated. The northernmost area exhibited the largest area of staining. An attempt was made to make a wedge in the area of the contamination, to facilitate the removal of the oil. The contamination was found to follow a seam between two concrete sections and was located just beneath the concrete and on top of the soil beneath the concrete. The area of contamination was approximately two feet wide through to the

other side of the concrete structure. The contamination was removed to the western side of the concrete structure. In following the contamination through the concrete from one side to another, a hole approximately two feet wide was carved through the structure. Any location where contamination was observed was removed and placed onto the poly sheeting.

On March 26, PEC returned to the Site to continue the concrete removal. Work was begun on the eastern wall of the concrete structure, at the area closest to Vreeland Terrace. Poly sheeting was placed onto the ground so no contaminated concrete would come in contact with the surrounding soils. There was an area of petroleum-like staining visible on the concrete structure itself. An area approximately five feet wide and two feet deep was chipped out of the concrete structure, until no more oil was visible. Once this area was completed, the concrete removal continued at the northern section along the eastern wall of the concrete structure. An area approximately two feet wide was removed from the concrete structure. This area ran from east to west and transected the concrete structure. The stained concrete surfaces were scarified/chipped and placed onto poly sheeting and covered for disposal. The contaminated soils were removed from underneath the concrete slab, placed onto poly sheeting, and covered for disposal.

PEC returned to the site on March 27, 2014 to collect post-remediation soil and concrete samples, which were both collected in areas where contamination was removed during the previous day of excavation. A total of 7 soil samples were collected and analyzed by Accutest for EPH, PCBs, and contingent VO+10, BN+15 and TAL Metals. A total of six concrete samples were collected and analyzed by Accutest for PCBs.

#### **3.4.2.5 May 2014 Soil Excavation**

PEC returned to the Site on May 7, 2014 to oversee the removal of impacted soils in the southeast corner of the main excavation, adjacent to Vreeland Terrace. This location needed to be excavated further as it exhibited the highest PCB levels of the remaining sample locations (26,100 mg/kg). A soil access ramp was constructed on the northern portion of the Site, over the concrete retaining wall installed by the on-site developer. The excavator was then able to reach the southern-most area of the main excavation and remove the soils from the southeast corner. Approximately 5-10 additional cubic yards of soil were removed from this location and placed onto poly sheeting on the eastern side of the concrete structure.

During the course of the excavation activities, an irregular shaped concrete structure was discovered in the southeast portion of the Site. The concrete was attached to the known concrete foundation structure, along with the existing concrete walls along Vreeland Terrace. The concrete was cleaned as much as possible and the resulting soils were placed onto the existing stockpiled soils. No additional soil samples were collected from this excavation location since all soils had been removed down to bedrock and between the concrete structures. The excavated soils were added to the existing soil stockpile. The post excavation soil sampling data has been summarized in Appendix A.



#### **3.4.2.6 Liquid Waste Disposal**

Liquid PCB containing wastes from the two 20,000-gallon USTs was containerized in drums by EWWI and transported to Veolia ES Technical Solutions (Port Arthur, TX). While copies of the manifests were received from EWWI when the wastes were transported off site, signed copies of the manifests were not received from Veolia. After contacting Veolia as required by 40 CFR 262.42, manifests were still not received and an exception report was filed by PEC with USEPA Region II as required by 40 CFR 761.215 on April 18, 2014. The PCB waste disposal manifests received and the exception report are included in Appendix B.

#### **3.4.3 AOC-2: Site Wide Soil Impacts**

On March 17, 2014, 38 COAH Associates, LLC authorized the collection of site wide soil samples by PEC to assess the potential impacts from the demolition of the former building. On March 27, 2014, PEC mobilized to the site. The site was divided in fifteen equally sized grids representing a 2,430 square foot area (54 by 45 foot). The UST area was not part of the surficial sampling as this AOC had been sampled independently from the rest of the site. One exploratory test pit was excavated in each grid location to a depth of one foot below existing surface grade. One soil sample was collected from each of the grids and analyzed by Accutest for PCBs, PAHs, and TAL Metals. The soil data has been summarized in Appendix C.

#### **3.4.4 Disposal Characterization Sampling**

Disposal characterization samples were initially collected in November 2013. The UST Comp samples were analyzed for PCBs, TCLP Metals, Total SVOCs, and RCRA Characteristics, while the grab samples were analyzed for Total VOCs. The samples were sent to TestAmerica for analysis. Based on the receipt of the data validation report from ddms, however, this data could not be relied upon and was rejected.

Subsequently, on February 26, 2014, soil samples were re-collected from the soil stockpile. Five composite soil samples (Disposal-001 through -005) were collected and analyzed by Accutest for PCBs, total VO+10 and RCRA characteristics. Samples Disposal-002 and -004 were also analyzed for total SVOCs and TCLP metals.

Additional soil samples were collected for disposal characterization on May 7, 2014. The soil stockpile was divided into five equal sections and a series of test pits were installed using the excavator. Five locations were excavated within each section and one five point composite soil sample was collected from each section. The samples were analyzed for TCLP VOC, TCLP SVOC, TCLP Herbicides, Reactive Cyanide, Reactive Sulfide, and Paint Filter Liquids.

The data for the waste characterization has been summarized in Appendix D.

### 3.4.5 Remedial Investigation

#### 3.4.5.1 Soil Delineation

The objective of the proposed soil delineation effort is to determine the vertical and horizontal extent of the site-wide PCBs and PAHs soil impacts associated with AOC-2 consistent with NJDEP and USEPA requirements. A series of soil borings will be installed in the same five by three grid pattern used during the March 2014 sampling event, with the inclusion of additional soil borings to be installed in the sidewalk and Vreeland Avenue to the south. Six additional soil borings will be installed adjacent to the suspected UST piping run identified by the electromagnetic survey of the adjoining apartment building complex to the west. Further soil investigation will be conducted as needed.

- PEC will retain Environmental Management Consultants, LLC (EMC, Rockaway, NJ), a NJDEP licensed soil boring firm, to install soil borings using a direct push drill rig. The borings will be installed to refusal, approximately 15-20 feet below ground surface.
- Each soil boring will be logged during its installation. Two soil samples will be collected from each soil boring for laboratory analysis. The soil samples will be collected from the bottom of the area visually impacted by concrete and in the weathered bedrock consisting of metamorphized red shale. The soil samples will be placed in a chilled cooler and submitted to a NJDEP-certified analytical laboratory for chemical analysis. Standard chain of custody procedures will be implemented to track the samples.
- During the installation of the soil borings by EMC, PEC will oversee the installation of three temporary well points to evaluate the shallow, overburden groundwater. The temporary well points will be installed to the refusal depth, be developed, and allowed to stand overnight before sampling using a peristaltic pump. Groundwater samples will be collected for laboratory analysis of PCBs and PAHs.
- The samples will be submitted to Accutest under chain of custody. Each sample will be analyzed for PCBs and PAHs. One field blank and site specific quality assurance samples (e.g., duplicates and matrix spikes) will be collected for each day of sampling (one set anticipated).
- The sample results will be reported in the full deliverables format along with HAZSITE electronic data deliverables. Consistent with previous work on this project, the laboratory data will be validated by an independent third party, ddms, to assure the usability, reliability, and defensibility of the laboratory deliverables.

#### 3.4.5.2 Groundwater

Because PCBs and PAHs were identified at concentrations in excess of the NJDEP's Impact to Groundwater (IGW) Soil Screening Levels (SSLs), and the analysis of PCBs via the Synthetic Leachate Precipitation Procedure (SPLP) exceeded the default SPLP criteria, further evaluation of the groundwater pathway is required by NJDEP regulations and should be evaluated as part of a risk-based remedy



approach discussed below. While it is unlikely that PCBs and PAHs are soluble enough to impact groundwater, the concentrations reported in the soil are significant and can only be resolved through groundwater sampling. Previous reports regarding groundwater depth are contradictory, and may be the result of perched conditions following rain events.

Should the groundwater samples collected in the overburden aquifer (as discussed above) exceed the applicable NJDEP Groundwater Quality Standard (GWQS), or if groundwater is not found in the overburden, PEC will recommend additional investigation activities as warranted.

- The temporary groundwater monitoring well(s) will be sampled and the groundwater samples will be submitted to Accutest for laboratory analysis of PCBs and PAHs. One field blank and site specific quality assurance samples (e.g., duplicates and matrix spikes) will be collected for each day of sampling (1 set anticipated).
- The sample results will be reported in the full deliverables format along with HAZSITE electronic data deliverables. Consistent with previous work on this project, the laboratory data will be validated by an independent third party, ddms, to assure the usability, reliability, and defensibility of the laboratory deliverables.

The results gathered in the installation of temporary and/or permanent groundwater monitoring wells will be evaluated and in the context of developing a site specific IGW criteria using partition equation and/or SESOIL software to predict the potential future impacts to the groundwater in the event that contamination is not observed.

### **3.5 Proposed Risk Assessment**

PEC will further develop the risk-based approach to document the protectiveness of the proposed remedy. PEC's risk assessor will evaluate the project specific potential exposure pathways using the current USEPA equations and toxicological factors. PEC's risk assessor will utilize the current Risk Assessment for Superfund guidance to develop the applicable scenarios and site-specific risk factors. The results of the risk assessment will be incorporated into the Remedial Investigation Report/Remedial Action Workplan (RIR/RAW) that includes the developer's design and recommends the use of the proposed building slab barrier layer already installed as an IRM and as discussed below in Section 3.6.1 as an additional protective measure. The RIR/RAW will be submitted to USEPA Region II for their approval, with a copy submitted to NJDEP for their review under the LSRP program.

### **3.6 Proposed Remedial Action**

#### **3.6.1 Interim Remedial Measure**

In order to prevent the possible migration of fugitive dust during construction activities and minimize the need for modified Level D personal protective equipment, an IRM is being implemented that consists of a

geotextile fabric that overlays any contaminated surface soils: US 16 0 NW-HVO a nonwoven, needle-punched, orange warning barrier / contamination barrier geotextile. The barrier was installed according to the manufacturer's instructions, with the additional precaution of using landscape staples on the overlaps to prevent movement and slippage of the fabric. Once emplaced, the geotextile is being covered by approximately six inches of crushed stone from a virgin quarry source... The documentation of the complete IRM process will be included in the RI/RA/RAW to be prepared and submitted separately. The specification sheet for the geotextile fabric and the installation instructions have been included in Appendix E.

### **3.6.2 Waste Disposal**

The site owner has recently submitted a revised USEPA Generator ID number to reflect the current ownership of the facility and facilitate the use of a Subtitle C disposal facility. A copy of the application has been included in Appendix F.

In order to facilitate the removal of the PCB remediation waste associated with the former USTs from the site as expeditiously as possible, and to provide for additional disposal options for PCB remediation waste should conditions change or future construction requirements dictate additional removal, this workplan specifically requests the approval of the following disposal facility types.

<b>PCB Concentration</b>	<b>Facility Type</b>
≥ 50 mg/kg total PCBs	RCRA Subtitle C Section 3004 landfill
< 50 mg/kg total PCBs	Municipal Solid Waste Landfill
< 10 mg/kg total PCBs	Beneficial Reuse Project(s) with existing approval

Transportation will be provided to the approved disposal facility via a registered hauler possessing an A-901 license from NJDEP Division of Solid and Hazardous Waste Management. The USEPA 30 day notification has also been included in Appendix F.

### **3.6.3 Engineering Controls**

The construction of the proposed building and the reinforced concrete floor of the first parking area level will serve as the engineering control for the property. The entire property will be capped by the proposed construction. As specified by 40 CFR 761.61(a)(7), the reinforced concrete will be at least six inches thick, and is consistent with the proposed redevelopment plan. The concrete will overlay the existing IRM, and modify the depth of the crushed stone bed as necessary to achieve the final grade. Utility trenches, if needed, will be over-excavated, lined with geotextile fabric, and backfilled with certified clean fill material.

### **3.6.4 Institutional Controls**

Upon completion of construction, a deed notice consistent with 40 CFR 761.61(a)(8) and NJDEP requirements will be filed with the Bergen County Clerk. The deed notice will show the aerial extent of the contaminants as well as the as-built cross sections of the engineering controls. Once filed, the deed

notice will be submitted to NJDEP and a Remedial Action Permit for Soil will be provided. The protectiveness of the remedy will be evaluated biennially and reported to NJDEP. Copies will also be provided to USEPA.

### **3.6.5 Remedial Action Report**

Upon receipt of the Remedial Action Permit for Soils from the NJDEP, a final Remedial Action Report will be prepared for USEPA approval, and once USEPA approval is received, a restricted use Response Action Outcome will be issued by the LSRP.

## **FIGURES**

**Figure 1      USGS 7.5' Topographic Map**

**Figure 2      ALTA Survey**

**Figure 3      Site Plan**

**Figure 4      UST Sampling Plan**

**Figure 5      A: UST Stockpile February 2014**

**Figure 5      B: UST Stockpile April 2014**

**Figure 6      February Excavation Plan**

**Figure 7      March Surface Sampling Plan**

**Figure 8      March Excavation Sampling Plan**

**Figure 9      March Concrete Sampling Plan**





Name: CENTRAL PARK  
 Date: 11/6/2013  
 Scale: 1 inch equals 2000 feet

Location: 722121 ft. N 635151 ft. E NAD 83  
 Caption: Topographic Map of Former Alcoa Power Plant, Building 12



1. A CERTAIN MAP ENTITLED "MINOR SUBDIVISION PLAN OF 860 RIVER ROAD, LOT 1.02 IN BLOCK 74, BOROUGH OF EDGEWATER, COUNTY OF BERGEN, N.J." PREPARED BY BERTIN ENGINEERING ASSOCIATES, INC. AND DATED MAY 12, 2008, LAST REVISED JULY 21, 2008.
2. A CERTAIN MAP ENTITLED "MINOR SUBDIVISION, TAX MAP OF LOTS 1 AND 3, BLOCK 74, BOROUGH OF EDGEWATER, BERGEN COUNTY, NEW JERSEY," PREPARED BY BGSWELL ENGINEERING, ANDRIJA BATISTIC, P.L.S., AND DATED OCTOBER 22, 1998.
3. TAX MAP OF BOROUGH OF EDGEWATER, SHEET 5.01.

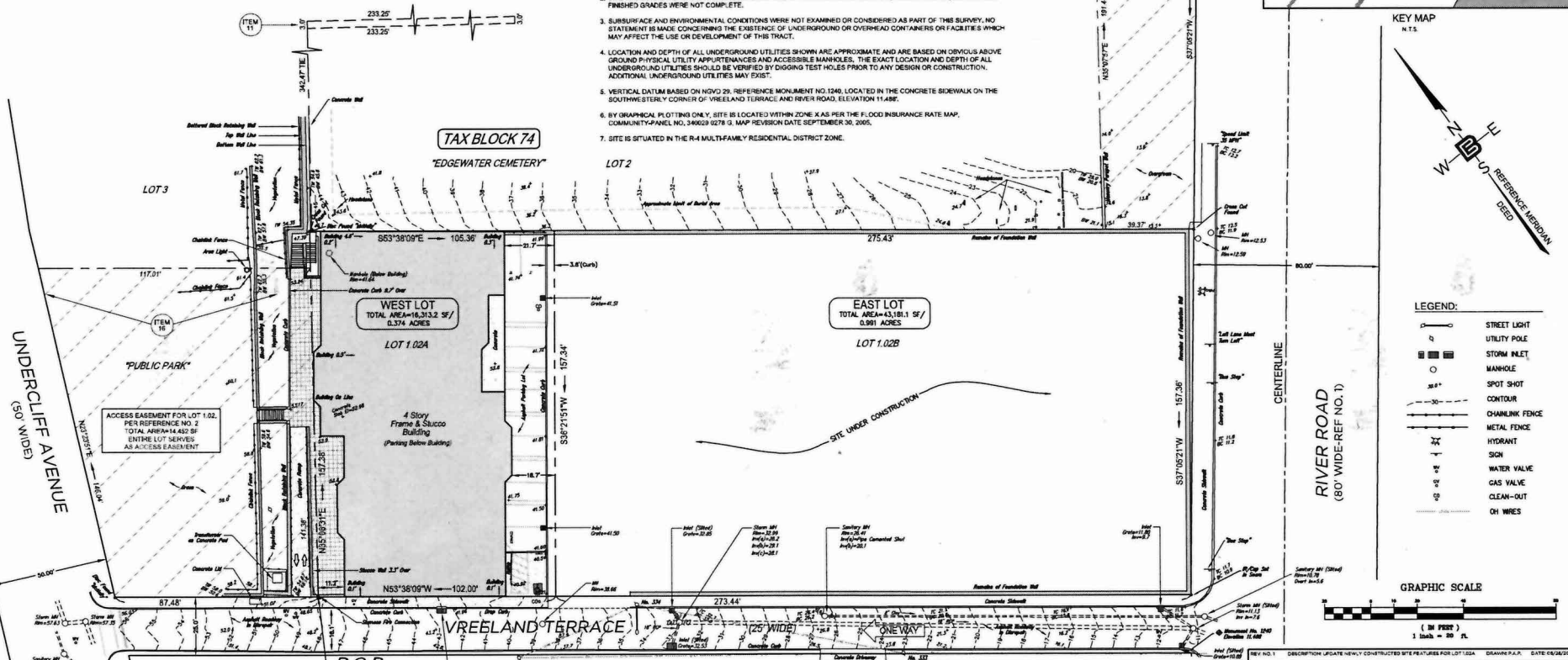
BEGINNING AT A POINT ON THE NORTHERLY LINE OF VREELAND TERRACE, BEING 25 FEET WIDE, DISTANT 87.48 FEET FROM THE INTERSECTION OF NORTHERLY LINE OF VREELAND TERRACE AND THE EASTERLY LINE OF UNDERCLIFF AVENUE, BEING 50 FEET WIDE, SAID POINT BEING MARKED BY A FOUND CROSS CUT AND RUNNING THENCE:

1. NORTH 53°08'31" EAST A DISTANCE OF 157.38 FEET TO A FOUND CROSS CUT; THENCE
2. SOUTH 53°38'09" EAST A DISTANCE OF 105.36 FEET; THENCE
3. ALONG A NEW LINE SOUTH 36°21'51" WEST A DISTANCE OF 157.34 FEET TO A POINT IN SAID NORTHERLY LINE OF VREELAND TERRACE, BEING DISTANT 213.44 FEET FROM THE INTERSECTION OF SAID NORTHERLY LINE OF VREELAND TERRACE AND THE WESTERLY LINE OF RIVER ROAD, BEING 80 FEET WIDE; THENCE
4. ALONG THE NORTHERLY LINE OF VREELAND TERRACE, NORTH 53°38'09" WEST A DISTANCE OF 122.00 FEET TO THE POINT AND PLACE OF BEGINNING.

1. BOUNDARIES SHOWN ARE THE RESULT OF AN ACTUAL FIELD SURVEY BASED ON AVAILABLE MAPS, DEEDS OF RECORD AND PHYSICAL EVIDENCE. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH. SURVEYOR'S INFORMATION CONCERNING RECORD REFERENCES AND OTHER DOCUMENTS WHICH MIGHT AFFECT THE QUALITY OF TITLE TO LOT 1.02A SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NUMBER PT-119 PREPARED BY PORTSIDE TITLE AGENCY, LLC, DATED MARCH 8, 2012. THE FOLLOWING COMMENTS CORRESPOND TO THE ITEMS NUMBERED IN THE ABOVE REFERENCED COMMITMENT.

[illegible]

2. SITE WAS CURRENTLY UNDER CONSTRUCTION AT TIME OF THE SURVEY. LANDSCAPING, PARKING STALLS, UTILITIES AND FINISHED GRADERS WERE NOT COMPLETE.
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR OBSERVED AS PART OF THIS SURVEY, NO STATEMENT OF EXISTENCE OF UNDERGROUND OBSTACLES OR FACILITIES WILL AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.
4. LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES IS KNOWN AREA APPROPRIATE AND ARE BASED ON RECORDS ABOVE GROUND. THE PRESENCE OF ANY UNRECORDED UTILITY OR FACILITY MAY BE DISCOVERED BY THE USER OF THE TRACT. UNDERGROUND UTILITIES SHOULD BE VERIFIED BY DIGGING TEST HOLE PRIOR TO ANY DESIGN OR CONSTRUCTION.
5. VERTICAL DATUM BASED ON NVD+29 REFERENCE MONUMENT NO.1246; LOCATION IN THE CONCRETE BENCHMARK ON THE SOUTHWESTLY CORNER OF VELENO TUNNEL TOWER AND RIVER ROAD, ELEVATION 114.88'.
6. BY GRAPHICAL PLAT IN PL.44 MOUNTAIN VIEW, CITY OF KANSAS, THE FLOOD INSURANCE RATE MAP, MAP NUMBER PANEL NO. 18060 WITH A REVISION DATE OF 07-15-2005.
7. SITE IS PLATTED IN THE R.4-MULTI-PURPOSE RESIDENTIAL ZONING ZONE.



## (R-4 MULTI-FAMILY RESIDENTIAL DISTRICT)


DESCRIPTION	REQUIREMENT	WEST LOT	COMMENTS
MINIMUM LOT AREA	40,000 SF	18,318 SF	VARIANCE
MINIMUM LOT WIDTH	150 FT	102 FT	VARIANCE
MINIMUM LOT DEPTH	150 FT	157.34 FT	COMPLIES
MINIMUM FRONT YARD	25 FT	0 FT	COMPLIES*
MINIMUM SIDE YARD	20 FT	0 FT, 17 FT	COMPLIES*
MINIMUM REAR YARD	25 FT	0 FT	COMPLIES*
MAXIMUM BUILDING HEIGHT	3 / 37.25 FT	4 ST	COMPLIES**

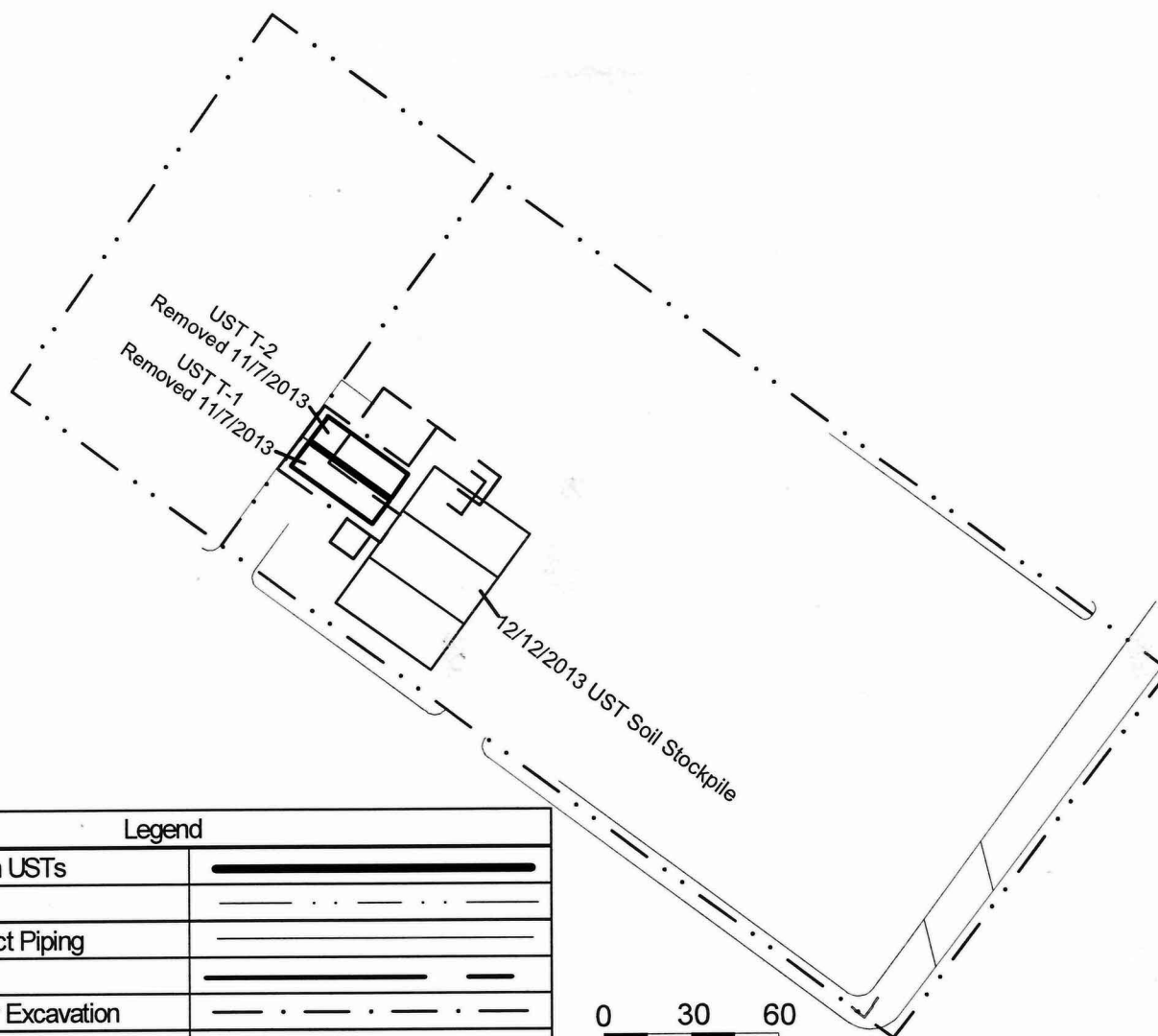
\* SETBACKS TO EXISTING BUILDING FOOTPRINT

\*\*IN RELATION TO UNDERCLIFF AVE

[illegible]

**MILOSLAV REHAK**  
N.J. PROFESSIONAL LAND SURVEYOR  
NO. 43233

FIELD DATE 03/20/2012	ALTA / ACSM LAND TITLE SURVEY of LOT 1.02A IN BLOCK 74 WEST LOT BOROUGH OF EDGEWATER COUNTY OF BERGEN, N.J.			
FIELD COUNTY P.A.P., J.D.				
CITY OF ALTA CAS2068900	PREPARED FOR 38 COAH ASSOCIATES, LLC			
DRAWN P.A.P.	 <b>BERTIN ENGINEERING</b>			
CHECKED M.R.	85 ELLEN AVENUE GLEN ROCK, NJ 07452 P. 201-461-8800 F. 201-461-8801 E. info@bertineng.com W. www.bertineng.com			
APP. NO. 1	DATE MAY 10, 2012	SCALE 1"=20'	FILE NO. Y_1BSC	DWG. NO. AB-1



Legend	
Former 20,000 gallon USTs	
Property Boundary	
Disconnected Product Piping	
UST Soil Stockpile	
Extents of November Excavation	
Extents of December Excavation	



**PEC**

Pennjersey Environmental Consulting  
326 Willow Grove Road  
Stewartsville, NJ 08826-3201  
(908) 329-6060  
www.pennjerseyenv.com

Source:  
PS&S Site Plan, Rev. 5  
issued 09/27/2013  
Job No. 04131-001

Daibes Enterprises - Former ALCOA Site  
660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

## Site Plan

Scale 1 inch = 60 feet

By: ZLL  
Date: 1-20-2014

Figure

**3**



	Total EPH	Total PCBs
NJ Residential SRS		0.2
NJ Non-Residential SRS		1
NJ IGW SSL		0.2
USEPA TSCALC		25
	mg/kg	mg/kg
PE-001	< 2.0	4.7
PE-002	< 2.0	2.3
PE-003	830	230
PE-004	< 2.0	62
PE-005	5100	18
PE-006	250	740
PE-007	< 2.0	2.9
PE-008	130	5.3
PE-009	170	11
PE-010	880	34
PE-011	< 2.0	8.1
PE-012	< 2.0	8.6
PE-013	< 2.0	8.3
PE-014	< 2.0	1.1
PE-015	< 2.0	4.5
PE-016	< 2.0	42
PE-017	190	440
PE-018	< 2.0	1.1

	Total EPH	Total PCBs
NJ Residential SRS		0.2
NJ Non-Residential SRS		1
NJ IGW SSL		0.2
USEPA TSCALC		25
	mg/kg	mg/kg
PE-019	220	110
PE-020	170	110
PE-021	< 2.0	0.34
PE-022	< 2.0	< 0.20
PE-023	< 2.0	< 0.27
PE-024	< 2.0	< 0.25
PE-025	< 2.0	< 0.23
PE-026	< 2.0	< 0.20
PE-027	< 2.0	< 0.26
PE-028	2000	< 12
PE-029	290	< 10
PE-030	500	0.85
PE-031	< 2.0	0.46
PE-032	22000	36000
PE-033	260	61
PE-034	290	200
PE-035	510	200
PE-036	< 2.0	0.3
PE-037	< 2.0	3.8
PE-038	< 2.0	0.56

Legend	
November Sampling Locations	●
December Sampling Locations	■
Former 20,000 gallon USTs	—
Extents of November Excavation	- - - - -
Extents of December Excavation	— — — — —
Property Boundary	· · · · ·
Disconnected Product Piping	— · — · — · —

0 5 10 ft

**PEC**

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(908) 329-6060  
www.pennjerseyenv.com

Daibes Enterprises - Former ALCOA Site  
660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

Former USTs and  
Sample Location Plan

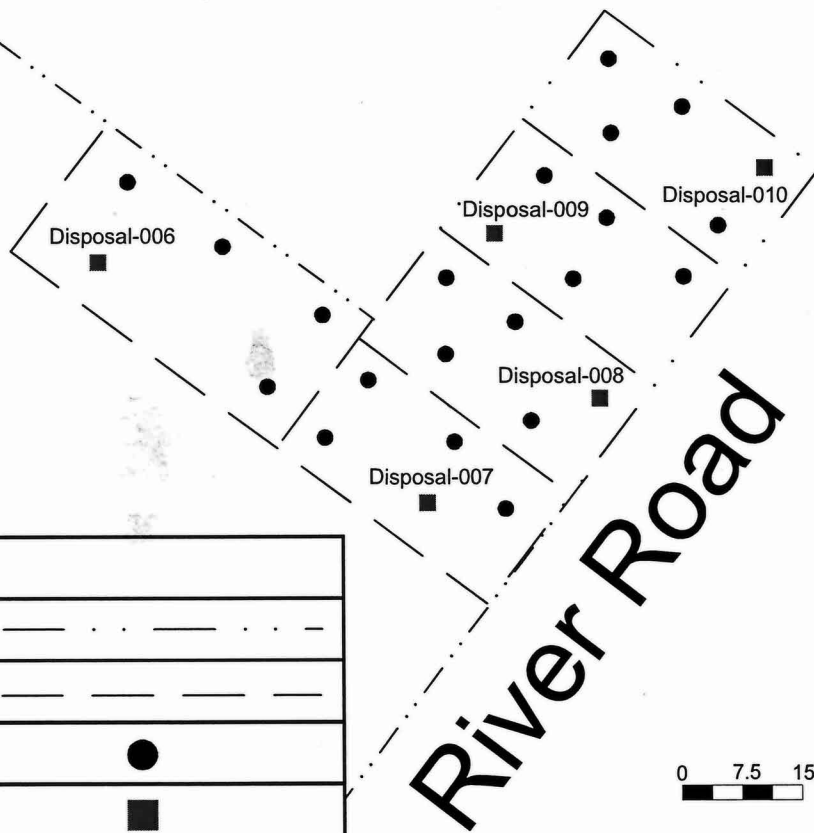
Scale 1 inch = 10 feet

By: ZLL  
Date: 1-27-2014

Figure 4

Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001





### Legend

Property Boundary	— . . . — . . . —
March Stockpile Boundary	— — — — —
Composite Samples	●
Grab Samples	■

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660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

### March Stockpile Sampling Plan

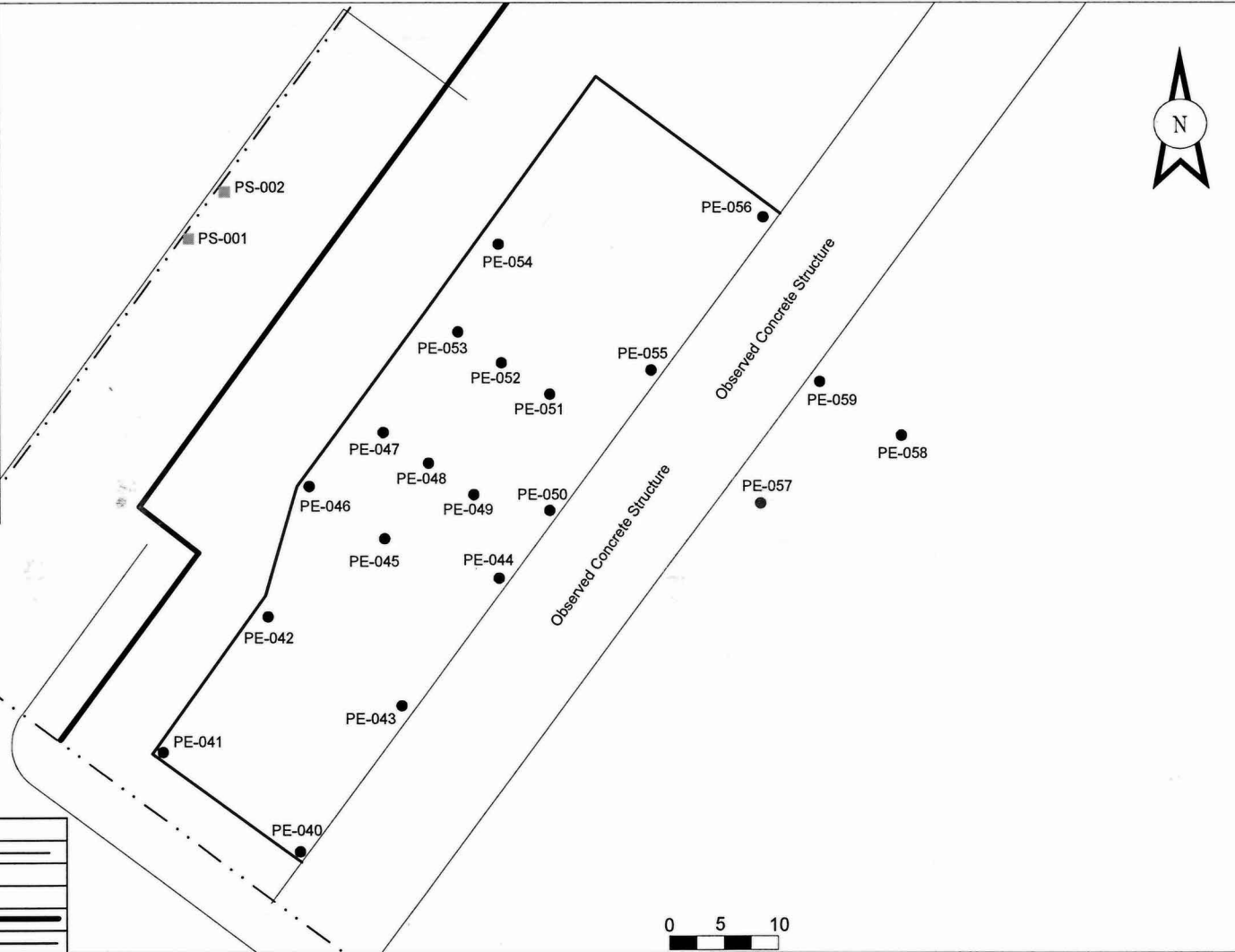
Scale 1 inch = 15 feet  
By: Z.L.L.  
Date: 06/02/2014

Figure  
**5B**

Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001

Sample Location	Depth	Total PCBs (ppm)	Total EPH (mg/kg)
PE-040	19.5'-20.0'	364	448
PE-041	19.5'-20.0'	557	2,110
PE-042	19.5'-20.0'	514	1,320
PE-043	19.5'-20.0'	122	1,550
PE-044	15.5'-16.0'	232	1,080
PE-045	15.5'-16.0'	534	1,550
PE-046	15.5'-16.0'	72	1,830
PE-047	15.5'-16.0'	311	189
PE-048	15.5'-16.0'	3369	976
PE-049	15.5'-16.0'	188	1,530
PE-050	19.5'-20.0'	385	1,260
PE-051	15.5'-16.0'	92	952
PE-052	15.5'-16.0'	961	1,070
PE-053	15.5'-16.0'	18	61.5
PE-054	15.5'-16.0'	1,058	1,260
PE-055	19.5'-20.0'	167	1,240
PE-056	19.5'-20.0'	70	779
PE-057	19.5'-20.0'	0.5	78.1
PE-058	19.5'-20.0'	30	112
PE-059	19.5'-20.0'	62	528
PS-001	3.5'-4.0'	1,122	199
PS-002	3.0'-3.5'	836	258

Legend	
Property Boundary	— · — · —
Pipe Sampling Locations	■
February Excavation Sampling Locations	●
Concrete Retaining Wall	— — — — —
March Excavation Boundary	— · — · —



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Daibes Enterprises - Former ALCOA Site  
660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

# February Excavation Sampling Plan

Scale 1 inch = 10 feet

By: ZLL  
Date: 4/10/2014

Figure  
**6**

Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001

Sample Location	Depth	Total PCBs (ppm)
SS-001	0.5'-1.0'	5.9
SS-002	0.5'-1.0'	46.6
SS-003	0.5'-1.0'	14.8
SS-004	0.5'-1.0'	123.4
SS-005	0.5'-1.0'	139.2
SS-006	0.5'-1.0'	173.5
SS-007	0.5'-1.0'	371
SS-008	0.5'-1.0'	204.8
SS-009	0.5'-1.0'	289.9
SS-010	0.5'-1.0'	433.6
SS-011	0.5'-1.0'	421.2
SS-012	0.5'-1.0'	260.4
SS-013	0.5'-1.0'	21.1
SS-014	0.5'-1.0'	125
SS-015	0.5'-1.0'	61.4



Legend	
Property Boundary	---
March Surface Sampling Locations	●

0 15 30

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660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

### March Surface Sampling Plan

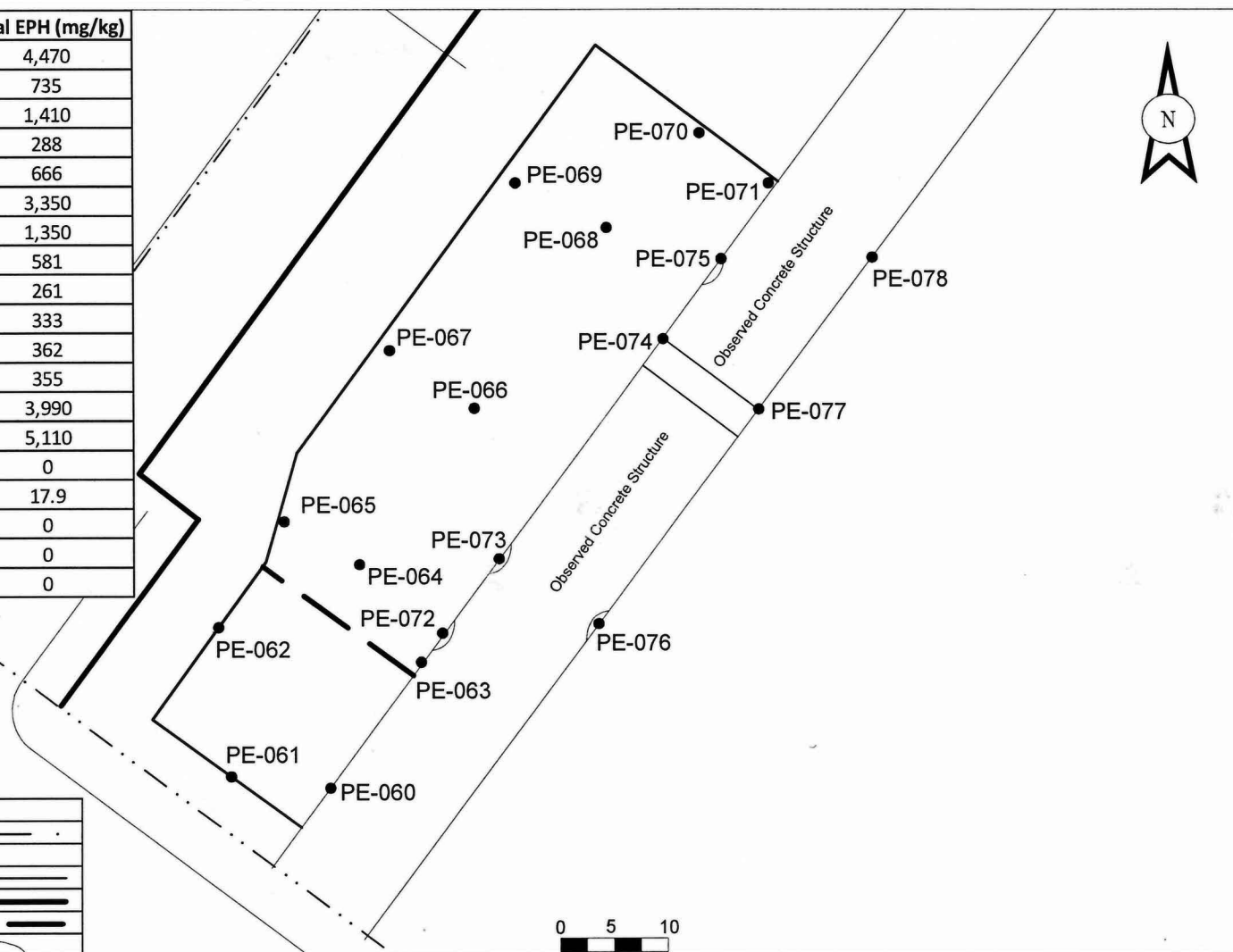
Scale 1 inch = 30 feet  
By: ZLL  
Date: 4/10/2014

Figure  
**7**

Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001

Sample Location	Depth	Total PCBs (ppm)	Total EPH (mg/kg)
PE-060	20.0'-20.5'	26,750	4,470
PE-061	20.0'-20.5'	687	735
PE-062	20.0'-20.5'	407	1,410
PE-063	20.0'-20.5'	735	288
PE-064	20.0'-20.5'	371	666
PE-065	20.0'-20.5'	42.1	3,350
PE-066	20.0'-20.5'	442	1,350
PE-067	20.0'-20.5'	188.7	581
PE-068	20.0'-20.5'	52.4	261
PE-069	20.0'-20.5'	94.8	333
PE-070	20.0'-20.5'	49.6	362
PE-071	20.0'-20.5'	446	355
PE-072	20.0'-20.5'	0.3780	3,990
PE-073	20.0'-20.5'	0.0552	5,110
PE-074	20.0'-20.5'	0.5163	0
PE-075	20.0'-20.5'	0.8974	17.9
PE-076	20.0'-20.5'	0.1886	0
PE-077	20.0'-20.5'	0.7576	0
PE-078	20.0'-20.5'	0.0355	0

Legend	
Property Boundary	— · — · — · — · —
March Excavation Sampling Locations	●
Excavation Boundary	— — — — —
Concrete Retaining Wall	=====
Stormwater Drain Pipe	=====
Concrete Chipping Locations	=====



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Daibes Enterprises - Former ALCOA Site  
660 River Road  
Edgewater, NJ 07020  
PI #023713 & #620276

### March Excavation Sampling Plan

Scale 1 inch = 10 feet

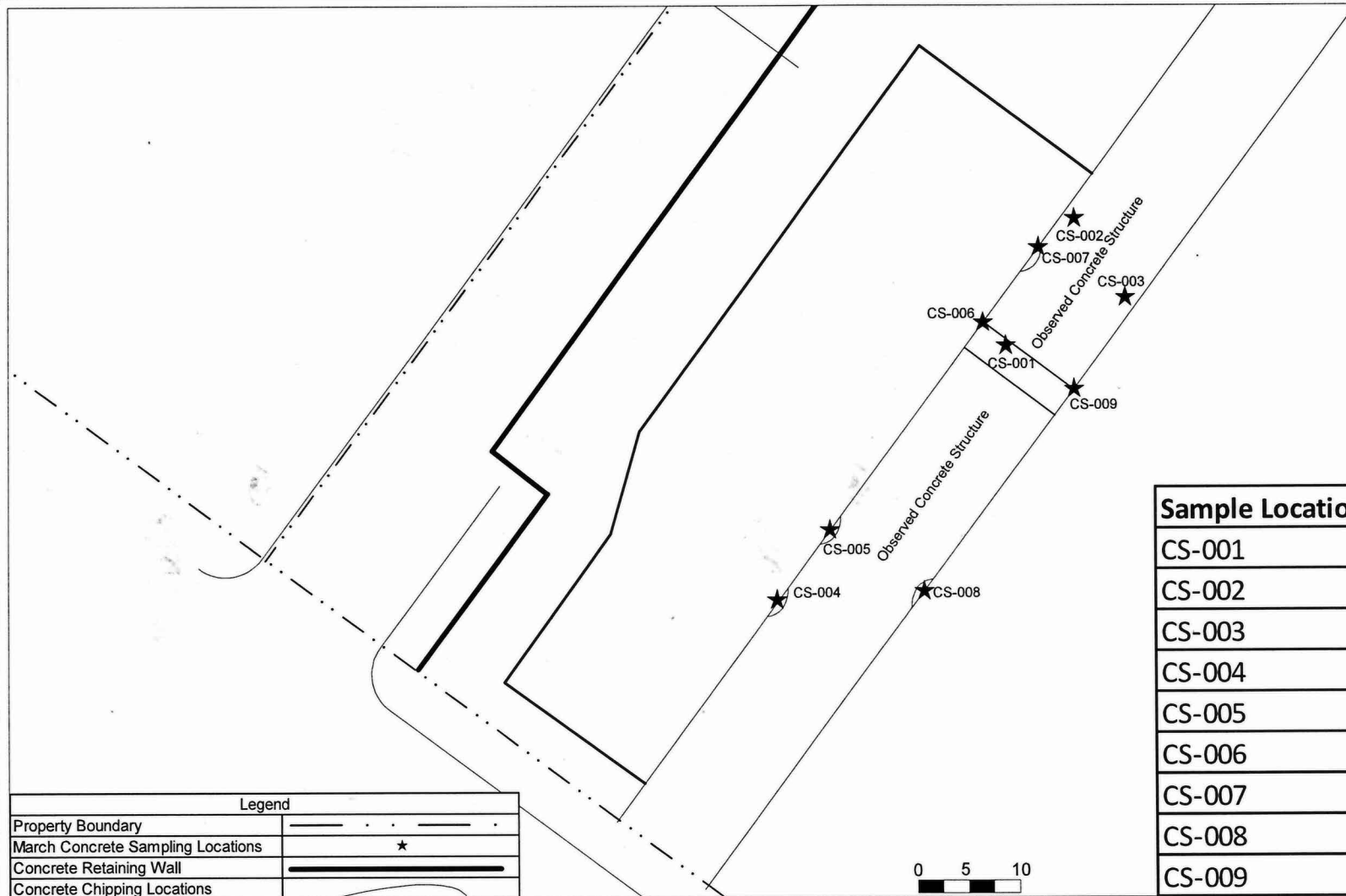
Figure

8

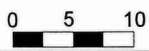
By: ZLL  
Date: 4/10/2014

Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001





Legend	
Property Boundary	---
March Concrete Sampling Locations	★
Concrete Retaining Wall	—
Concrete Chipping Locations	○



Sample Location	Total PCBs (ppm)
CS-001	11.9
CS-002	12.3
CS-003	0.7
CS-004	16.4
CS-005	0.6
CS-006	7.9
CS-007	0.3
CS-008	1.5
CS-009	0.3

<b>PEC</b> Pennjersey Environmental Consulting 326 Willow Grove Road Stewartsville, NJ 08826-3201 (908) 329-6060 www.pennjerseyenv.com	Daibes Enterprises - Former ALCOA Site 660 River Road Edgewater, NJ 07020 PI #023713 & #620276	March Concrete Sampling Plan	
		Scale 1 inch = 10 feet	Figure 9
		By ZLL Date: 4/10/2014	Source: PS&S Site Plan, Rev. 5 issued 09/27/2013, Job No. 04131-001

Photo # 1

6/16/14

Close up of soil/debris stockpile adjacent to River Road and bordering cemetery. Clear plastic sheeting partially covering and black liner visible below.

660 River Road, Edgewater, NJ  
Former Alcoa Building 12/38 COAH  
Associates, LLC



Photo # 2

6/16/14

Soil/debris stockpile adjacent to River Road and bordering cemetery. Clear plastic sheeting partially covering.

660 River Road, Edgewater, NJ  
Former Alcoa Building 12/38 COAH  
Associates, LLC

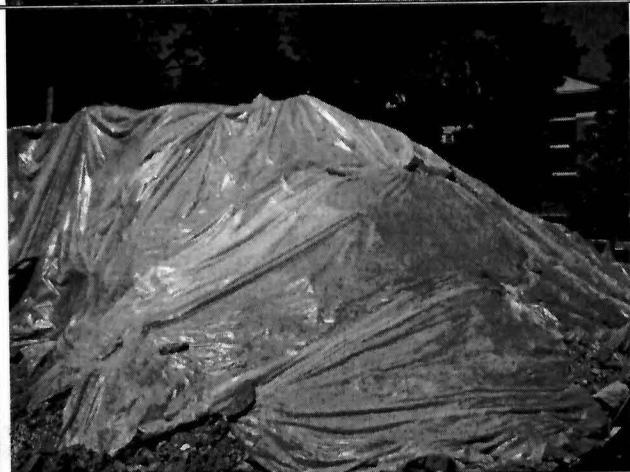
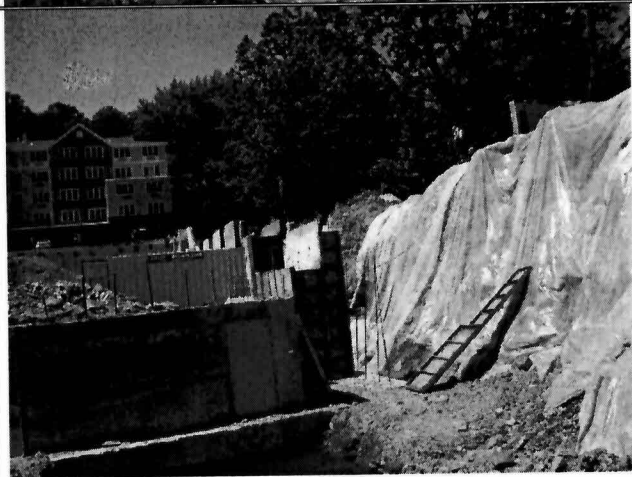


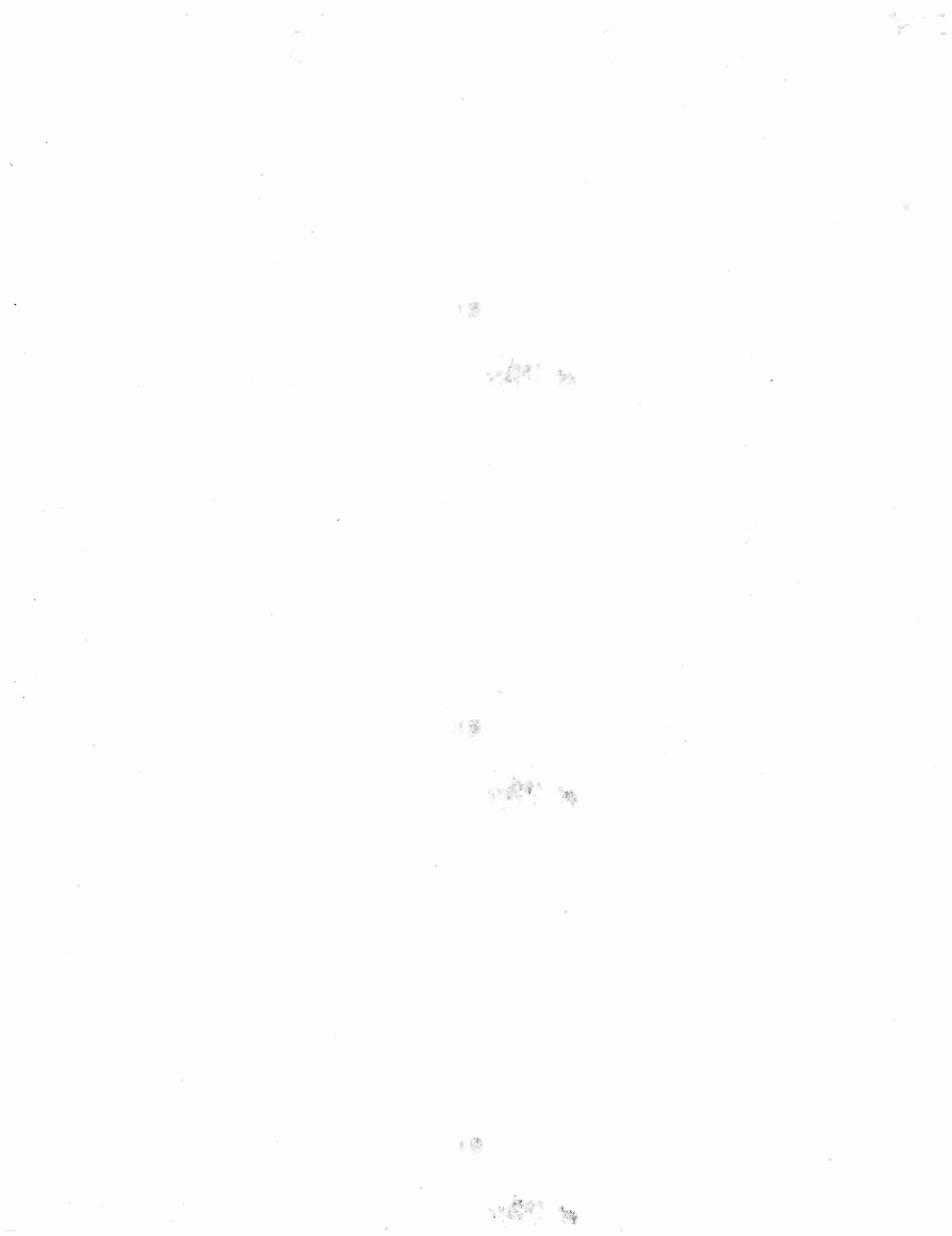
Photo #3

6/16/14

Soil/debris stockpile adjacent to River Road and bordering cemetery. Clear plastic sheeting partially covering, visible breaks between sheeting sections.

660 River Road, Edgewater, NJ  
Former Alcoa Building 12/38 COAH  
Associates, LLC







Borough of Edgewater  
916 River Road  
Edgewater, NJ 07020  
201-943-1700

## STOP CONSTRUCTION ORDER

Application Date: 10/11/2013  
Control Number: 10944  
Permit Number: 20130433  
Permit Date: 10/15/2013  
Notice Date: 4/17/2014  
Violation Number: 20140002/ 0

*Hand delivered*

### IDENTIFICATION

Work Site Location: 660 River Road/The Heaven

Block: 74 Lot: 1.02 Qual: The Heaven

Owner In Fee: The Heaven, LLC

Contractor: Waterside Construction, LLC

Address: 1652 Broadway  
New York NY 10019

Address: 22 Route 5  
Edgewater, NJ 07020

Telephone: 201 840-0050

Telephone: 201 538-0655

To: ☒ Owner

☐ Other: \_\_\_\_\_

☐ Agent/Contractor

Date Of Inspection: 4/16/2014

Date Of This Notice: 4/17/2014

### ACTION

You are hereby **ORDERED** to **STOP**

☐ Building ☐ Electrical ☐ Plumbing ☐ Fire Protection ☐ Mechanical ☐ Elevator ☒ All Construction

at the above Location as of 4/17/2014 until further notice from this enforcing agency.

This **ORDER** is entered pursuant to N.J.A.C. 5:23-2.31(d) for violation of N.J.A.C. 5:23-2.23(d) HAZARDOUS SUBSTANCE DISCHARGE which provides:

#### HAZARDOUS SUBSTANCE DISCHARGE

Permission to resume construction may be obtained from this enforcing agency after the following conditions are met:  
UNTIL SUCH TIME AS THE HEALTH AND SAFETY PLAN IS UPDATED & APPROVED BY SITE LSRP

Further, take **NOTICE** that failure to comply with this **ORDER** may result in the assessment of penalties of up to \$2,000.00 per day per violation, and a certificate of occupancy will **not** be issued until such penalty has been paid.

If necessary, the enforcing agency will concurrently seek the Order of a Court of competent jurisdiction restraining further work at the above location.

If you wish to contest this **ORDER**, you may request a hearing before the Construction Board of Appeals of the

#### **Bergen County Board Of Appeals**

within 15 days of receipt of this **ORDER** as provided by N.J.A.C. 5:23A-2.1. The Application to the Construction Board of Appeals may be used for this purpose.

Your application for appeal must be in writing, setting forth your name and address, the address of the building or site in question, the permit number, the specific sections of the Regulations in question, and the extent and nature of the relief sought by you. You may append any documents that you consider useful.

The fee for an appeal is \$100.00 and should be forwarded with your application to the Construction Board of Appeals Office at:

**One Bergen County Plaza 4th Floor Hackensack NJ 07601-7000**

If you have any questions concerning this matter, please call: 201-943-1700

By Order of:

*John Candello*  
John Candello ISSUING OFFICIAL

Date:

4/17/14

Sent by Certified Mail # :

U.S. MAIL PERMIT NO. 10000







EPA

US ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460  
TOXIC SUBSTANCES CONTROL ACT

## DECLARATION OF CONFIDENTIAL BUSINESS INFORMATION

## 1. INVESTIGATION IDENTIFICATION

DATE 6/16/14

INSPECTOR NO.  
F16340

DAILY SEQ. NO.

1

## 2. COMPANY NAME

Former Alcoa Building 12/  
38 COAH Associates, LLC3. INSPECTOR ADDRESS  
US-EPA Region 2 MS-105  
2890 Woodbridge Avenue  
Edison, NJ 088374. COMPANY ADDRESS  
660 River Road  
Edgewater, NJ 07020

## INFORMATION DESIGNATED AS CONFIDENTIAL BUSINESS INFORMATION

NO. DESCRIPTION

None Declared

## ACKNOWLEDGMENT BY CLAIMANT

The undersigned acknowledges that the information described above is designated as Confidential Business Information under Section 14(c) of the Toxic Substances Control Act. The undersigned further acknowledges that he/she is authorized to make such claims for his/her firm.

The undersigned understands that challenges to the confidentiality claims may be made, and that claims are not likely to be upheld unless the information meets the following guidelines: (1) The company has taken measures to protect the confidentiality of the information and it intends to continue to take such measures; (2) The information is not, and has not been reasonably attainable without the company's consent by other persons (other than governmental bodies) by use of legitimate means (other than discovery based on a showing of special need in a judicial or quasi-judicial proceeding); (3) The information is not publicly available elsewhere; and (4) Disclosure of the information would cause substantial harm to the company's competitive position.

## Certification

I acknowledge that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

INSPECTOR SIGNATURE

NAME

Vivian Chin

COMPANY REPRESENTATIVE SIGNATURE

NAME

MATTHEW VEREB

TITLE

Environmental Engineer

DATE SIGNED

6/16/14

TITLE

DIRECTOR OF OPERATIONS

DATE SIGNED

6/16/14





JUL - 2 2014

326 Willow Grove Road, Stewartville, NJ 08886-3102  
(908) 329-6060 [www.pennjerseyenv.com](http://www.pennjerseyenv.com)

Pesticides &amp; Toxic Substances Branch

Sent via Overnight Delivery

June 27, 2014

Ms. Vivian L. Chin  
Environmental Engineer  
United States Environmental Protection Agency Region 2  
Division of Enforcement & Compliance Assistance  
2890 Woodbridge Avenue  
MS 105  
Edison, NJ 08837-3679

Re: Former Alcoa Building 12  
660 River Road  
Edgewater Borough, Bergen County  
USEPA ID NJD981559149

Dear Ms. Chin:

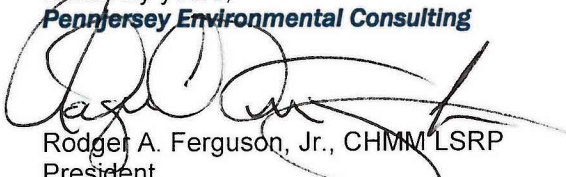
On behalf of our client, 38 COAH Associates, LLC, the property owner of the aforementioned site, we are providing an electronic copy of the documents requested during your June 16, 2014 site inspection. A compact disk has been attached to this correspondence for your use.

These documents have been arranged into folders as follows for your convenience:

- Edgewater Stop Work Order
- Enviro-Science of DE, Inc. (ESI) Reports and RAOs (including 2010 and 2014)
- Self Implemented Disposal Plan
- UST Closure Documents and Photos
- Waste Generation Logs

Thank you for your attention to this matter. Should you have any questions or comments, please feel free to contact me at (908) 329-6060 or [rferguson@pennjerseyenv.com](mailto:rferguson@pennjerseyenv.com).

Sincerely yours,

**Pennjersey Environmental Consulting**

Rodger A. Ferguson, Jr., CHMM LSRP  
President  
Licensed Site Remediation Professional No. 573794





TOXIC SUBSTANCES CONTROL ACT

RECEIPT FOR SAMPLES AND DOCUMENTS

1. INVESTIGATION IDENTIFICATION

DATE 6/16/14  
INSPECTOR NO. F16340  
DAILY SEQ. NO. 1

2. COMPANY NAME

Former Alcoa Building 12/  
38 COAH Associates, LLC

3. INSPECTOR ADDRESS  
US-EPA Region 2 MS-105  
2890 Woodbridge Avenue  
Edison, NJ 08837-5602

4. COMPANY ADDRESS  
660 River Road  
Edgewater, NJ 07020

The documents and samples of chemical substances and/or mixtures described below were collected in connection with the administration and enforcement of the Toxic Substances Control Act.

RECEIPT OF DOCUMENT(S) DESCRIBED IS HEREBY ACKNOWLEDGED:

NO.	DESCRIPTION
1.	To Be Sent - 6/30/14 Items 1-6
2.	Documentation of remediation of Bldg. 12 conducted under NJDEP supervision.
3.	2010 RAD
4.	2012 RAD
5.	Dewcontamination of USB documentation, receipts and photos for scrapping
6.	Field logs for pile creation
7.	Documentation regarding lifting of stop work order, Seven Photographs

Optional:

Duplicate or Split samples: Requested and Provided ☐ Not Requested ☐

Certification

I acknowledge that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

INSPECTOR SIGNATURE

COMPANY REPRESENTATIVE SIGNATURE

NAME  
Vivian Chin

NAME  
MATTHEW VERCP

TITLE  
Environmental Engineer

DATE SIGNED  
6/16/14

TITLE  
DIRECTOR OF OPERATIONS

DATE SIGNED  
6/16/14

